

BILL

Redraft - C

YEAR

1                                    A bill to be entitled

2        An act relating to education; amending s. 11.90, F.S.;

3        authorizing the Legislative Budget Commission to review a

4        state plan to implement federal requirements; amending s.

5        20.15, F.S.; establishing the Division of Accountability,

6        Research, and Measurement in the Department of Education;

7        amending s. 1000.03, F.S.; revising the mission of the

8        state's K-20 education system; repealing s. 1000.041,

9        F.S., to conform provisions relating to the 2005 repeal of

10       the BEST Florida Teaching salary career ladder program;

11       amending s. 1001.02, F.S.; requiring legislative review of

12       a revised state plan to implement certain federal

13       requirements; amending s. 1001.03, F.S.; requiring

14       periodic review of Sunshine State Standards subject areas

15       and an annual status report; requiring rules to earn a

16       reading credential equivalent; requiring the maintenance

17       of a uniform school district personnel classification

18       system; amending s. 1001.10, F.S.; requiring legislative

19       review of a revised state plan to implement certain

20       federal requirements; creating s. 1001.215, F.S.; creating

21       the Just Read, Florida! Office in the Department of

22       Education; providing duties; amending s. 1001.33, F.S.;

23       conforming provisions relating to the 2005 repeal of the

24       BEST Florida Teaching salary career ladder program;

25       amending s. 1001.41, F.S.; requiring district school

26       boards to adopt standards and policies to provide each

27       student a complete education program; amending s. 1001.42,

28       F.S.; providing a district school board requirement

29       relating to the opening date of the school year;

BILL

Redraft - C

YEAR

30 | conforming provisions relating to the 2005 repeal of the  
 31 | BEST Florida Teaching salary career ladder program;  
 32 | providing requirements for each school district's system  
 33 | of school improvement and student progression; revising  
 34 | requirements for school improvement plans; requiring  
 35 | alignment with the Sunshine State Standards; revising  
 36 | format and content of public disclosure reports;  
 37 | conforming provisions relating to deletion of a rigorous  
 38 | reading requirement and the designation of school grades;  
 39 | repealing s. 1001.51(24), F.S., and amending s. 1001.54,  
 40 | F.S.; conforming provisions relating to the 2005 repeal of  
 41 | the BEST Florida Teaching salary career ladder program;  
 42 | revising provisions relating to duties of school  
 43 | principals; amending s. 1002.38, F.S., relating to the  
 44 | Opportunity Scholarship Program; conforming provisions  
 45 | relating to the designation of school grades; amending s.  
 46 | 1003.01, F.S.; revising definition of the term "special  
 47 | education services"; amending s. 1003.05, F.S.; deleting  
 48 | the requirement that certain children receive preference  
 49 | for admission to special academic programs even if maximum  
 50 | enrollment has been reached; revising programs defined as  
 51 | "special academic programs" for purposes of such  
 52 | preference; creating s. 1003.413, F.S., relating to  
 53 | secondary school reform; providing intent and guiding  
 54 | principles; requiring district school boards to establish  
 55 | policies to implement requirements for middle grades  
 56 | promotion, revised requirements for high school  
 57 | graduation, and requirements for career and professional  
 58 | academies; requiring policy approval and department

BILL

Redraft - C

YEAR

support for implementation; directing the Commissioner of Education to create and implement the Secondary School Improvement Award Program; repealing s. 1003.415, F.S., the Middle Grades Reform Act; creating s. 1003.4156, F.S.; providing general course requirements for middle grades promotion; requiring intensive reading and mathematics courses in certain circumstances; authorizing rulemaking and enforcement; amending s. 1003.42, F.S.; providing for required instruction for middle grades promotion; creating s. 1003.428, F.S.; establishing revised general requirements for high school graduation; providing applicability beginning with 2007-2008 first-year high school students; requiring completion of specified credits or a specified curriculum; requiring strategies for exceptional students to meet graduation requirements; requiring standards for graduation; requiring rules for test accommodations and modifications in certain cases; providing requirements for standard diplomas and certificates of completion with exceptions; authorizing rulemaking and enforcement; amending s. 1003.437, F.S.; including middle grades in the uniform grading system; repealing s. 1003.492(3) and (4), F.S., relating to department studies of student performance in industry-certified career education programs; creating s. 1003.493, F.S.; defining career and professional academies and specifying goals of the academies; providing requirements of academies relating to curriculum, partnerships, instruction, career education certification, and evaluation; amending s. 1003.57, F.S.; providing

BILL

Redraft - C

YEAR

88 | guidelines for determining the residency of a student who  
89 | receives instruction as an exceptional student with a  
90 | disability; requiring the student's placing authority or  
91 | parent to pay the cost of such instruction, facilities,  
92 | and services; providing responsibilities of the  
93 | department; providing responsibilities of residential  
94 | facilities that educate exceptional students with  
95 | disabilities; providing applicability; creating s.  
96 | 1003.576, F.S.; requiring the department to develop an  
97 | individual education plan form for use in developing and  
98 | implementing individual education plans for exceptional  
99 | students; requiring school districts to use the form;  
100 | amending s. 1003.58, F.S.; correcting a cross-reference;  
101 | amending s. 1003.62, F.S.; conforming provisions relating  
102 | to the designation of school grades and differentiated pay  
103 | for school administrators and instructional personnel;  
104 | creating s. 1004.99, F.S., the Florida Ready to Work  
105 | Certification Program to enhance student workplace skills;  
106 | providing for program implementation and requirements;  
107 | authorizing rulemaking; amending s. 1006.09, F.S.;  
108 | conforming provisions relating to differentiated pay;  
109 | amending s. 1007.2615, F.S.; revising provisions for  
110 | certification of American Sign Language teachers; amending  
111 | s. 1008.22, F.S.; specifying FCAT grade level and subject  
112 | area testing requirements; requiring documentation of  
113 | procedures that ensure test difficulty under certain  
114 | circumstances; requiring certain opportunities for  
115 | demonstrating student performance; requiring the  
116 | Commissioner of Education to adopt scores concordant to

BILL

Redraft - C

YEAR

117 FCAT scores required for high school graduation; providing  
118 that such scores satisfy requirements for a diploma;  
119 clarifying eligibility to use such scores; requiring an  
120 annual report on student performance; repealing s.  
121 1008.221, F.S., relating to alternative assessments for  
122 dependent children of military personnel, to conform;  
123 amending s. 1008.25, F.S.; authorizing district school  
124 boards to require low-performing students to attend  
125 remediation programs outside of regular school hours or  
126 during the summer; requiring the department to establish a  
127 uniform format for reporting information relating to  
128 student progression; requiring an annual report; repealing  
129 s. 1008.301, F.S., relating to a concordance study of FCAT  
130 equivalencies for high school graduation; amending s.  
131 1008.31, F.S.; revising intent, goals, and measures of the  
132 K-20 performance accountability system and requiring data  
133 quality improvements; requiring adoption of rules;  
134 amending s. 1008.33, F.S.; conforming a cross-reference  
135 and provisions relating to the designation of school  
136 grades; authorizing principals to recommend corrective  
137 actions for low-performing faculty and staff at "F" graded  
138 schools and publication of a school's grade; amending s.  
139 1008.34, F.S.; revising terminology and provisions  
140 relating to designation and determination of school  
141 grades; providing for school grading for alternative  
142 schools and specifying requirements related thereto;  
143 defining the term "home school" for purposes of  
144 assessment; requiring an annual school report card to be  
145 published by the department and distributed by school

BILL

Redraft - C

YEAR

146 districts; creating s. 1008.341, F.S.; providing for  
 147 school improvement ratings for certain alternative  
 148 schools; providing the basis for such ratings and  
 149 requiring annual performance reports; providing for  
 150 determination of school improvement ratings,  
 151 identification of student learning gains, and eligibility  
 152 for school recognition awards; requiring the development  
 153 and distribution of an annual school report card;  
 154 authorizing adoption of rules; amending s. 1008.345, F.S.;  
 155 conforming a cross-reference and provisions relating to  
 156 the designation of school grades; providing conditions for  
 157 determination of a school district in a state of  
 158 educational emergency; providing procedures to resolve the  
 159 educational emergency, including state assistance;  
 160 authorizing establishment of an educational emergency  
 161 board and providing duties thereof; providing for an  
 162 action plan to implement recommendations; amending s.  
 163 1008.36, F.S.; authorizing certain alternative schools to  
 164 participate in the Florida School Recognition Program;  
 165 modifying procedures for determination and use of school  
 166 recognition awards; amending s. 1011.62, F.S.; providing  
 167 FTE funding for juveniles enrolled in specified education  
 168 programs; conforming cross-references and provisions  
 169 relating to the designation of school grades; establishing  
 170 a research-based reading instruction allocation to provide  
 171 funds for a comprehensive reading instruction system;  
 172 requiring school district plans for use of the allocation  
 173 and approval thereof; including the allocation in the  
 174 total amount allocated to each school district for current

BILL

Redraft - C

YEAR

175 operation; amending s. 1011.64, F.S.; conforming  
 176 terminology and a cross-reference; amending s. 1011.67,  
 177 F.S.; requiring district school board approval of a staff  
 178 development plan relating to use of instructional  
 179 materials; amending s. 1011.685, F.S.; conforming  
 180 provisions relating to the 2005 repeal of the BEST Florida  
 181 Teaching salary career ladder program and implementation  
 182 of differentiated pay; amending s. 1011.71, F.S.;  
 183 correcting a cross-reference; amending s. 1012.21, F.S.;  
 184 requiring department reporting relating to school district  
 185 collectively bargained contracts and the salary and  
 186 benefits of certain personnel; amending s. 1012.22, F.S.;  
 187 requiring each district school board to adopt a salary  
 188 schedule with differentiated pay for instructional  
 189 personnel and school-based administrators beginning with  
 190 the 2007-2008 academic year; creating s. 1012.2315, F.S.;  
 191 providing school district requirements for the assignment  
 192 of teachers and providing procedures for noncompliance;  
 193 amending s. 1012.27, F.S.; conforming provisions relating  
 194 to the 2005 repeal of the BEST Florida Teaching salary  
 195 career ladder program and implementation of differentiated  
 196 pay; amending s. 1012.28, F.S.; conforming provisions  
 197 relating to differentiated pay; amending s. 1012.34, F.S.;  
 198 conforming provisions relating to deletion of a rigorous  
 199 reading requirement; amending s. 1012.56, F.S.;  
 200 encouraging school districts to provide mechanisms for  
 201 teachers to obtain subject area coverage for middle  
 202 grades; creating s. 1012.986, F.S.; establishing the  
 203 William Cecil Golden Professional Development Program for

BILL

Redraft - C

YEAR

School Leaders; defining the term "school leader";  
 providing for school leader designations; providing  
 program requirements and delivery systems; requiring  
 adoption of rules; repealing s. 1012.987, F.S., which  
 requires the State Board of Education to adopt rules  
 through which school principals may earn a leadership  
 designation; providing an effective date.

WHEREAS, students will have the best opportunity to obtain a  
 high-quality education in the public education system of this  
 state and that system can best be enhanced when resources are  
 allocated efficiently and are concentrated in a rigorous and  
 relevant classroom learning environment, when teachers and  
 principals are supported, when high-quality educational  
 opportunity is reinforced through shared high academic and career  
 expectations, when accurate data is consistently maintained and  
 used to drive systemwide decisionmaking, and when successes are  
 rewarded, failures are identified, and the public is apprised of  
 both successes and failures, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (8) is added to section 11.90,  
 Florida Statutes, to read:

11.90 Legislative Budget Commission.--

(8) Upon the 2007 reauthorization of the federal No Child  
 Left Behind Act of 2001, the commission may review the proposed  
 state plan of the State Board of Education and the Commissioner  
 of Education before that plan is submitted.



BILL

Redraft - C

YEAR

233 Section 2. Paragraph (f) is added to subsection (3) of  
234 section 20.15, Florida Statutes, to read:

235 20.15 Department of Education.--There is created a  
236 Department of Education.

237 (3) DIVISIONS.--The following divisions of the Department  
238 of Education are established:

239 (f) Division of Accountability, Research, and Measurement.

240 Section 3. Subsection (4) of section 1000.03, Florida  
241 Statutes, is amended to read:

242 1000.03 Function, mission, and goals of the Florida K-20  
243 education system.--

244 (4) The mission of Florida's K-20 education system is to  
245 allow its students to increase their proficiency by allowing them  
246 the opportunity to expand their knowledge and skills through  
247 high-quality, rigorous, relevant ~~adequate~~ learning opportunities,  
248 in accordance with the mission statement and accountability  
249 requirements of s. 1008.31.

250 Section 4. Section 1000.041, Florida Statutes, is repealed.

251 Section 5. Paragraph (g) of subsection (2) of section  
252 1001.02, Florida Statutes, is amended to read:

253 1001.02 General powers of State Board of Education.--

254 (2) The State Board of Education has the following duties:

255 (g) To approve plans for cooperating with the Federal  
256 Government. Upon the 2007 reauthorization of the federal No Child  
257 Left Behind Act of 2001, the Commissioner of Education shall seek  
258 public input and secure legislative review of the revised state  
259 plan prior to submission.

260 Section 6. Subsections (1), (3), and (14) of section  
261 1001.03, Florida Statutes, are amended to read:

BILL

Redraft - C

YEAR

1001.03 Specific powers of State Board of Education.--

(1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State Board of Education shall approve the student performance standards known as the Sunshine State Standards in key academic subject areas and grade levels. The state board shall establish a schedule to facilitate the periodic review of each subject area to maintain rigor, relevance, integration, and reinforcement for student achievement and articulation and evaluate how the standards are taught at each grade level. The review teams for each Sunshine State Standards subject area must include representatives from each other Sunshine State Standards subject area to support valid integration of content and to address the learning styles and instructional needs of all students. Each review team must address the following:

(a) Rigor, relevance, logical student progression, articulation from grade to grade, and integration of reading, writing, and mathematics.

(b) Timelines for revision of course descriptions, adoption of instructional materials, modifications to the statewide assessment, and enhancements to professional development.

(c) Input from parents, classroom teachers, school and district administrators, community college and university faculty, and business representatives, in collaboration with local education foundations.

The review schedule and an annual status report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually not later than January 1.

(3) PROFESSIONAL CERTIFICATES.--The State Board of

BILL

Redraft - C

YEAR

291 Education shall classify school services, designate the  
292 certification subject areas, establish competencies, including  
293 the use of technology to enhance student learning, and  
294 certification requirements for all school-based personnel, and  
295 prescribe rules in accordance with which the professional,  
296 temporary, and part-time certificates shall be issued by the  
297 Department of Education to applicants who meet the standards  
298 prescribed by such rules for their class of service, as described  
299 in chapter 1012. The state board shall adopt rules that give  
300 part-time and full-time nondegreed teachers of career programs,  
301 pursuant to s. 1012.39(1)(c), the opportunity to earn a reading  
302 credential equivalent to a reading endorsement.

303 (14) UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
304 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.--The State Board of  
305 Education shall maintain ~~recommend to the Legislature by February~~  
306 ~~1, 2003,~~ a uniform classification system for school district  
307 administrative and management personnel that will facilitate the  
308 uniform coding of administrative and management personnel to  
309 total district employees.

310 Section 7. Section 1001.10, Florida Statutes, is amended to  
311 read:

312 1001.10 Commissioner of Education; general powers and  
313 duties.--The Commissioner of Education is the chief educational  
314 officer of the state and the sole custodian of the K-20 data  
315 warehouse, and is responsible for giving full assistance to the  
316 State Board of Education in enforcing compliance with the mission  
317 and goals of the seamless K-20 education system. To facilitate  
318 innovative practices and to allow local selection of educational  
319 methods, the State Board of Education may authorize the

BILL

Redraft - C

YEAR

commissioner to waive, upon the request of a district school board, State Board of Education rules that relate to district school instruction and school operations, except those rules pertaining to civil rights, and student health, safety, and welfare. The Commissioner of Education is not authorized to grant waivers for any provisions in rule pertaining to the allocation and appropriation of state and local funds for public education; the election, compensation, and organization of school board members and superintendents; graduation and state accountability standards; financial reporting requirements; reporting of out-of-field teaching assignments under s. 1012.42; public meetings; public records; or due process hearings governed by chapter 120. No later than January 1 of each year, the commissioner shall report to the Legislature and the State Board of Education all approved waiver requests in the preceding year. Additionally, the commissioner has the following general powers and duties:

(1) To appoint staff necessary to carry out his or her powers and duties.

(2) To advise and counsel with the State Board of Education on all matters pertaining to education; to recommend to the State Board of Education actions and policies as, in the commissioner's opinion, should be acted upon or adopted; and to execute or provide for the execution of all acts and policies as are approved.

(3) To keep such records as are necessary to set forth clearly all acts and proceedings of the State Board of Education.

(4) To have a seal for his or her office with which, in connection with his or her own signature, the commissioner shall authenticate true copies of decisions, acts, or documents.

BILL

Redraft - C

YEAR

(5) To recommend to the State Board of Education policies and steps designed to protect and preserve the principal of the State School Fund; to provide an assured and stable income from the fund; to execute such policies and actions as are approved; and to administer the State School Fund.

(6) To take action on the release of mineral rights based upon the recommendations of the Board of Trustees of the Internal Improvement Trust Fund.

(7) To submit to the State Board of Education, on or before August 1 of each year, recommendations for a coordinated K-20 education budget that estimates the expenditures for the State Board of Education, including the Department of Education, the Commissioner of Education, and all of the boards, institutions, agencies, and services under the general supervision of the State Board of Education for the ensuing fiscal year. Any program recommended to the State Board of Education that will require increases in state funding for more than 1 year must be presented in a multiyear budget plan.

(8) To develop and implement a plan for cooperating with the Federal Government in carrying out any or all phases of the educational program and to recommend policies for administering funds that are appropriated by Congress and apportioned to the state for any or all educational purposes. Upon the 2007 reauthorization of the federal No Child Left Behind Act of 2001, the commissioner shall seek public input and secure legislative review of the revised state plan prior to submission.

(9) To develop and implement policies for cooperating with other public agencies in carrying out those phases of the program in which such cooperation is required by law or is deemed by the

BILL

Redraft - C

YEAR

commissioner to be desirable and to cooperate with public and nonpublic agencies in planning and bringing about improvements in the educational program.

(10) To prepare forms and procedures as are necessary to be used by district school boards and all other educational agencies to assure uniformity, accuracy, and efficiency in the keeping of records, the execution of contracts, the preparation of budgets, or the submission of reports; and to furnish at state expense, when deemed advisable by the commissioner, those forms that can more economically and efficiently be provided.

(11) To implement a program of school improvement and education accountability designed to provide all students the opportunity to make adequate learning gains in each year of school as provided by statute and State Board of Education rule based upon the achievement of the state education goals, recognizing the following:

(a) The State Board of Education is the body corporate responsible for the supervision of the system of public education.

(b) The district school board is responsible for school and student performance.

(c) The individual school is the unit for education accountability.

(d) The community college board of trustees is responsible for community college performance and student performance.

(e) The university board of trustees is responsible for university performance and student performance.

(12) To establish a Citizen Information Center responsible for the preparation, publication, and distribution of materials

BILL

Redraft - C

YEAR

relating to the state system of seamless K-20 public education.

(13) To prepare and publish annually reports giving statistics and other useful information pertaining to the Opportunity Scholarship Program.

(14) To have printed or electronic copies of school laws, forms, instruments, instructions, and rules of the State Board of Education and provide for their distribution.

(15) To develop criteria for use by state instructional materials committees in evaluating materials submitted for adoption consideration. The criteria shall, as appropriate, be based on instructional expectations reflected in curriculum frameworks and student performance standards. The criteria for each subject or course shall be made available to publishers of instructional materials pursuant to the requirements of chapter 1006.

(16) To prescribe procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.

The commissioner's office shall operate all statewide functions necessary to support the State Board of Education and the K-20 education system, including strategic planning and budget development, general administration, and assessment and accountability.

Section 8. Section 1001.215, Florida Statutes, is created to read:

1001.215 Just Read, Florida! Office.--There is created in the Department of Education the Just Read, Florida! Office. The

BILL

Redraft - C

YEAR

office shall be fully accountable to the Commissioner of  
Education and shall:

(1) Train highly effective reading coaches.

(2) Create multiple designations of effective reading  
instruction, with accompanying endorsement credentials, which  
encourage all teachers to integrate reading instruction into  
their content areas.

(3) Train K-12 teachers, school principals, and parents on  
research-based reading instructional strategies and secondary  
teachers on effective instructional strategies for teaching  
reading in the content areas with an emphasis on reading for  
information.

(4) Provide technical assistance to school districts in the  
development and implementation of district plans for use of the  
research-based reading instruction allocation provided under s.  
1011.62(8) and annually review and approve such plans.

(5) Review, evaluate, and provide technical assistance to  
school districts on their implementation of the K-12  
comprehensive reading plan required by s. 1011.62(8).

(6) Provide information on research-based reading programs  
and effective instructional strategies for teaching reading in  
the content areas and support for reading for information.

(7) Periodically review the Sunshine State Standards for  
reading at all grade levels.

(8) Periodically review teacher certification examinations  
to ascertain whether the examinations measure the skills needed  
for research-based reading, instructional strategies for teaching  
reading in the content areas, and support for reading for  
information.



BILL

Redraft - C

YEAR

464       (9) Work with teacher preparation programs approved  
465 pursuant to s. 1004.04 to integrate into teacher preparation  
466 programs research-based reading instructional strategies and  
467 instructional strategies for teaching reading in the content  
468 areas.

469       (10) Administer grants and perform other functions as  
470 necessary to meet the goal that all students read at grade level.

471       Section 9. Section 1001.33, Florida Statutes, is amended to  
472 read:

473       1001.33 Schools under control of district school board and  
474 district school superintendent.--

475       ~~(1) Except as otherwise provided by law, all public schools~~  
476 ~~conducted within the district shall be under the direction and~~  
477 ~~control of the district school board with the district school~~  
478 ~~superintendent as executive officer.~~

479       ~~(2) Each district school board, each district school~~  
480 ~~superintendent, and each district and school-based administrator~~  
481 ~~shall cooperate to apply the following guiding principles of~~  
482 ~~Better Educated Students and Teachers (BEST) Florida Teaching:~~

483       ~~(a) Teachers lead, students learn.~~

484       ~~(b) Teachers maintain orderly, disciplined classrooms~~  
485 ~~conducive to student learning.~~

486       ~~(c) Teachers are trained, recruited, well compensated, and~~  
487 ~~retained for quality.~~

488       ~~(d) Teachers are well rewarded for their students' high~~  
489 ~~performance.~~

490       ~~(e) Teachers are most effective when served by exemplary~~  
491 ~~school administrators.~~

BILL

Redraft - C

YEAR

492 Section 10. Subsection (3) of section 1001.41, Florida  
493 Statutes, is amended to read:

494 1001.41 General powers of district school board.--The  
495 district school board, after considering recommendations  
496 submitted by the district school superintendent, shall exercise  
497 the following general powers:

498 (3) Prescribe and adopt standards and policies to provide  
499 each student the opportunity to receive a complete education  
500 program, including language arts, mathematics, science, social  
501 studies, health, physical education, foreign languages, and the  
502 arts, as defined by the Sunshine State Standards. The standards  
503 and policies must emphasize integration and reinforcement of  
504 reading, writing, and mathematics skills in a rigorous and  
505 relevant context across all subjects, including career and  
506 technical education ~~as are considered desirable by it for~~  
507 ~~improving the district school system.~~

508 Section 11. Paragraph (f) of subsection (4), paragraph (c)  
509 of subsection (5), subsection (16), paragraph (d) of subsection  
510 (17), and subsection (18) of section 1001.42, Florida Statutes,  
511 are amended to read:

512 1001.42 Powers and duties of district school board.--The  
513 district school board, acting as a board, shall exercise all  
514 powers and perform all duties listed below:

515 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF  
516 SCHOOLS.--Adopt and provide for the execution of plans for the  
517 establishment, organization, and operation of the schools of the  
518 district, including, but not limited to, the following:

519 (f) Opening and closing of schools; fixing uniform  
520 date.--Adopt policies for the opening and closing of schools and

BILL

Redraft - C

YEAR

fix uniform dates provided that the opening date of the school year for schools in the district shall be no earlier than 7 days before Labor Day each year.

(5) PERSONNEL.--

~~(c) Fully support and cooperate in the application of the guiding principles of Better Educated Students and Teachers (BEST) Florida Teaching, pursuant to s. 1000.041.~~

(16) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.--Maintain a system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall include, but is not limited to, the following:

(a) School improvement plans.--Annually approve and require implementation of a new, amended, or continuation school improvement plan for each school in the district, except that a district school board may establish a district school improvement plan that includes all schools in the district operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The school improvement ~~Such~~ plan shall be designed to achieve the state education priorities pursuant to s. 1000.03(5) and student proficiency on the Sunshine State Standards pursuant to s. 1003.41 ~~performance standards. In addition, any school required to implement a rigorous reading requirement pursuant to s. 1003.415 must include such component~~

BILL

Redraft - C

YEAR

550 ~~in its school improvement plan.~~ Each plan shall also address  
551 issues relative to budget, training, instructional materials,  
552 technology, staffing, student support services, specific school  
553 safety and discipline strategies, student health and fitness,  
554 ~~including physical fitness, parental involvement information on~~  
555 ~~student health and fitness, and indoor environmental air quality,~~  
556 and ~~other matters of~~ resource allocation, as determined by  
557 district school board policy, and shall include ~~be based on~~ an  
558 accurate, data-based analysis of student achievement and other  
559 school performance data. For each school in the district that  
560 earns a school grade of "C" or below, or is required to have a  
561 school improvement plan under federal law, the school improvement  
562 plan shall, at a minimum include:

563 1. A needs assessment, based on disaggregated student  
564 achievement data related to student performance on the FCAT,  
565 which is used to identify each individual student subgroup's  
566 strengths and weaknesses and to determine the effectiveness of  
567 the teaching and learning strategies that are being used in the  
568 classroom.

569 2. Performance goals, based on the needs assessment, with  
570 measurable objectives of improvement in the areas of language  
571 arts, mathematics, and science for each student subgroup.

572 3. A Sunshine State Standards instructional calendar and  
573 timeline based on the needs assessment for each grade and in each  
574 of the subject areas of language arts, mathematics, and science  
575 to focus and integrate instruction, manage instructional time,  
576 and allocate resources.

577 4. The following strategies:

BILL

Redraft - C

YEAR

578 a. Mini-assessments of targeted Sunshine State Standards  
579 benchmarks that provide ongoing progress monitoring of students  
580 and generate data to redesign instruction.

581 b. Alternative in-school, tutorial, remediation, or  
582 enrichment programs for students that are based on each student's  
583 individual academic needs as defined by performance on the mini-  
584 assessments.

585 c. A student performance monitoring plan and clearly  
586 assigned school personnel monitoring responsibilities.

587 5. Professional development that supports enhanced  
588 instructional strategies, improves teaching and learning, and  
589 addresses skill gaps.

590 6. If the school is a high school, annual publication of  
591 the school's graduation rate calculated without GEDs for the past  
592 3 years, disaggregated by student ethnicity.

593  
594 For each school district with a school designated with a grade of  
595 "D" or "F," the district school board shall cooperate with the  
596 community assessment team assigned by the commissioner in  
597 accordance with s. 1008.345(6)(d).

598 (b) Alignment with Sunshine State Standards.--Design the  
599 school district's system of school improvement and student  
600 progression to provide frequent and accurate information to the  
601 teacher and student regarding each student's progress toward  
602 mastering the Sunshine State Standards. The system must support  
603 the alignment of the Sunshine State Standards, monitoring of  
604 individual student progress, and enhanced instructional  
605 strategies, assessment, and professional development.

BILL

Redraft - C

YEAR

606        (c)~~(b)~~ Approval process.--Develop a process for approval of  
607 a school improvement plan presented by an individual school and  
608 its advisory council. In the event a district school board does  
609 not approve a school improvement plan after exhausting this  
610 process, the Department of Education shall be notified of the  
611 need for assistance.

612        (d)~~(e)~~ Assistance and intervention.--

613            1. Develop a 2-year plan of increasing individualized  
614 assistance and intervention for each school in danger of not  
615 meeting state standards or making adequate progress, as defined  
616 pursuant to statute and State Board of Education rule, toward  
617 meeting the goals and standards of its approved school  
618 improvement plan.

619            2. Provide assistance and intervention to a school that is  
620 designated with a ~~identified as being in performance~~ grade of  
621 ~~category~~ "D" pursuant to s. 1008.34 and is in danger of failing.

622            3. Develop a plan to encourage teachers with demonstrated  
623 mastery in improving student performance to remain at or transfer  
624 to a school designated with a ~~as performance~~ grade of category  
625 "D" or "F" or to an alternative school that serves disruptive or  
626 violent youths. If a classroom teacher, as defined by s.  
627 1012.01(2)(a), who meets the definition of teaching mastery  
628 developed according to the provisions of this paragraph, requests  
629 assignment to a school designated with a ~~as performance~~ grade of  
630 ~~category~~ "D" or "F" or to an alternative school that serves  
631 disruptive or violent youths, the district school board shall  
632 make every practical effort to grant the request.

633            4. Prioritize, to the extent possible, the expenditures of  
634 funds received from the supplemental academic instruction

BILL

Redraft - C

YEAR

categorical fund under s. 1011.62(1)(f) to improve student performance in schools that receive a ~~performance~~ grade ~~category designation~~ of "D" or "F."

(e)~~(d)~~ After 2 years.--Notify the Commissioner of Education and the State Board of Education in the event any school does not make adequate progress toward meeting the goals and standards of a school improvement plan by the end of 2 years of failing to make adequate progress and proceed according to guidelines developed pursuant to statute and State Board of Education rule. School districts shall provide intervention and assistance to schools in danger of being designated with a ~~as~~ ~~performance~~ grade of ~~category~~ "F," failing to make adequate progress.

(f)~~(e)~~ Public disclosure.--Provide information regarding performance of students and educational programs as required pursuant to ss. 1008.22 and 1008.385 and implement a system of school reports as required by statute and State Board of Education rule that shall include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, and for those schools, report on the elements specified in s. 1003.52(19). Annual public disclosure reports shall be in an understandable and easy-to-read report card format, use multiple media such as electronic mail, websites, public service announcements, or print or electronic advertising, and shall include the school's student and school ~~performance~~ grade, high school graduation rate calculated without GEDs, disaggregated by student ethnicity, ~~category designation~~ and other performance data as specified in state board rule.

(g)~~(f)~~ School improvement funds.--Provide funds to schools for developing and implementing school improvement plans. Such

BILL

Redraft - C

YEAR

funds shall include those funds appropriated for the purpose of school improvement pursuant to s. 24.121(5)(c).

(17) LOCAL-LEVEL DECISIONMAKING.--

(d) Adopt policies that assist in giving greater autonomy, including authority over the allocation of the school's budget, to schools designated with a ~~as performance grade of category~~ "A," making excellent progress, and schools rated as having improved at least two grades ~~performance grade categories~~.

(18) OPPORTUNITY SCHOLARSHIPS.--Adopt policies allowing students attending schools that have been designated with a ~~as performance grade of category~~ "F," failing to make adequate progress, for 2 school years in a 4-year period to attend a higher performing school in the district or an adjoining district or be granted a state opportunity scholarship to a private school, in conformance with s. 1002.38 and State Board of Education rule.

Section 12. Subsection (24) of section 1001.51, Florida Statutes, is repealed.

Section 13. Paragraphs (c) and (d) of subsection (1) and subsection (2) of section 1001.54, Florida Statutes, are amended to read:

1001.54 Duties of school principals.--

(1)

~~(c) The school principal shall encourage school personnel to implement the guiding principles for Better Educated Students and Teachers (BEST) Florida Teaching, pursuant to s. 1000.041.~~

(c) ~~(d)~~ The school principal shall fully support the authority of each teacher and school bus driver to remove disobedient, disrespectful, violent, abusive, uncontrollable, or



BILL

Redraft - C

YEAR

disruptive students from the classroom and the school bus and, when appropriate and available, place such students in an alternative educational setting.

(2) Each school principal shall provide instructional leadership in the development, ~~or~~ revision, and implementation of a school improvement plan, pursuant to s. 1001.42(16).

Section 14. Subsection (2) and paragraphs (a) and (b) of subsection (3) of section 1002.38, Florida Statutes, are amended to read:

1002.38 Opportunity Scholarship Program.--

(2) OPPORTUNITY SCHOLARSHIP ELIGIBILITY.--A public school student's parent may request and receive from the state an opportunity scholarship for the student to enroll in and attend a private school in accordance with the provisions of this section if:

(a)1. By assigned school attendance area or by special assignment, the student has spent the prior school year in attendance at a public school that has been designated pursuant to s. 1008.34 with a ~~as~~ performance grade of ~~category~~ "F," failing to make adequate progress, and that has had 2 school years in a 4-year period of such low performance, and the student's attendance occurred during a school year in which such designation was in effect;

2. The student has been in attendance elsewhere in the public school system and has been assigned to such school for the next school year; or

3. The student is entering kindergarten or first grade and has been notified that the student has been assigned to such school for the next school year.

BILL

Redraft - C

YEAR

(b) The parent has obtained acceptance for admission of the student to a private school eligible for the program pursuant to subsection (4), and has notified the Department of Education and the school district of the request for an opportunity scholarship no later than July 1 of the first year in which the student intends to use the scholarship.

The provisions of this section shall not apply to a student who is enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs. For purposes of continuity of educational choice, the opportunity scholarship shall remain in force until the student returns to a public school or, if the student chooses to attend a private school the highest grade of which is grade 8, until the student matriculates to high school and the public high school to which the student is assigned is an accredited school with a ~~performance grade category designation~~ of "C" or better. However, at any time upon reasonable notice to the Department of Education and the school district, the student's parent may remove the student from the private school and place the student in a public school, as provided in subparagraph (3)(a)2.

(3) SCHOOL DISTRICT OBLIGATIONS.--

(a) A school district shall, for each student enrolled in or assigned to a school that has been designated with a ~~as~~ ~~performance grade of category~~ "F" for 2 school years in a 4-year period:

1. Timely notify the parent of the student as soon as such designation is made of all options available pursuant to this section.

BILL

Redraft - C

YEAR

2. Offer that student's parent an opportunity to enroll the student in a ~~the~~ public school within the district that has been designated by the state pursuant to s. 1008.34 as a school performing higher than that in which the student is currently enrolled or to which the student has been assigned, but not less than ~~performance~~ grade ~~category~~ "C." The parent is not required to accept this offer in lieu of requesting a state opportunity scholarship to a private school. The opportunity to continue attending the higher performing public school shall remain in force until the student graduates from high school.

(b) The parent of a student enrolled in or assigned to a school that has been designated with a ~~performance~~ grade of ~~category~~ "F" for 2 school years in a 4-year period may choose as an alternative to enroll the student in and transport the student to a higher-performing public school that has available space in an adjacent school district, and that school district shall accept the student and report the student for purposes of the district's funding pursuant to the Florida Education Finance Program.

Section 15. Paragraph (b) of subsection (3) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.--As used in this chapter, the term:  
(3)

(b) "Special education services" means specially designed instruction and such related services as are necessary for an exceptional student to benefit from education. Such services may include: transportation; diagnostic and evaluation services; social services; physical and occupational therapy; speech and language pathology services; job placement; orientation and

BILL

Redraft - C

YEAR

mobility training; braillists, typists, and readers for the blind; interpreters and auditory amplification; rehabilitation counseling; transition services; mental health services; guidance and career counseling; specified materials, assistive technology devices, and other specialized equipment; and other such services as approved by rules of the state board.

Section 16. Subsection (3) of section 1003.05, Florida Statutes, is amended to read:

1003.05 Assistance to transitioning students from military families.--

(3) Dependent children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools shall be given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned ~~and the school at which the program is being offered has reached its maximum enrollment~~. If such a program is offered through a public school other than the school to which the student would generally be assigned, the parent or guardian of the student must assume responsibility for transporting the student to that school. For purposes of this subsection, special academic programs include ~~charter schools~~, magnet schools, advanced studies programs, advanced placement, dual enrollment, Advanced International Certificate of Education, and International Baccalaureate.

Section 17. Section 1003.413, Florida Statutes, is created to read:

1003.413 Secondary school reform.--

(1) Secondary schools are schools that primarily serve

BILL

Redraft - C

YEAR

809 students in grades 6 through 12. It is the intent of the  
810 Legislature to provide for secondary school reform so that  
811 students promoted from the 8th grade have the necessary academic  
812 skills for success in high school and students graduating from  
813 high school have the necessary skills for success in the  
814 workplace and postsecondary education.

815 (2) Guiding principles for secondary school reform are:

816 (a) Struggling students, especially those in failing  
817 schools, need the highest quality teachers and dramatically  
818 different innovative approaches to teaching and learning.

819 (b) Every teacher must contribute to every student's  
820 reading improvement.

821 (c) Quality professional development provides teachers and  
822 principals with the tools they need to better serve students.

823 (d) Small learning communities allow teachers to  
824 personalize instruction to better address student learning  
825 styles, strengths, and weaknesses.

826 (e) Intensive intervention in reading and mathematics must  
827 occur early and through innovative delivery systems.

828 (f) Parents need access to tools they can use to monitor  
829 their child's progress in school, communicate with teachers, and  
830 act early on behalf of their child.

831 (g) Applied and integrated courses help students see the  
832 relationships between subjects and relevance to their futures.

833 (h) Majors and minors allow students to choose courses and  
834 set goals based on their interests and talents.

835 (i) Master schedules should not determine instruction and  
836 must be designed based on student needs, not adult or  
837 institutional needs.

BILL

Redraft - C

YEAR

838        (j) Academic and career planning engages students in  
839 developing a personally meaningful course of study so they can  
840 achieve goals they have set for themselves.

841        (3) Based on these guiding principles, district school  
842 boards shall establish policies to implement the requirements of  
843 ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

844        (a) Procedures for placing and promoting students who enter  
845 a Florida public school at grade 6 through grade 12 from out of  
846 state or from a foreign country, including a review of the  
847 student's prior academic performance.

848        (b) Alternative methods for students to demonstrate  
849 competency in required courses and credits, with special support  
850 for students who have been retained.

851        (c) Applied, integrated, and combined courses that provide  
852 flexibility for students to enroll in courses that are creative  
853 and meet individual learning styles and student needs.

854        (d) Credit recovery courses and intensive reading and  
855 mathematics intervention courses based on student performance on  
856 the FCAT. These courses should be competency based and offered  
857 through innovative delivery systems, including computer-assisted  
858 instruction. School districts should use learning gains as well  
859 as other appropriate data and provide incentives to identify and  
860 reward high-performing teachers who teach credit recovery and  
861 intensive intervention courses.

862        (e) Grade forgiveness policies that replace a grade of "D"  
863 or "F" with a grade of "C" or higher earned subsequently in the  
864 same or a comparable course.

865        (f) Summer academies for students to receive intensive  
866 reading and mathematics intervention courses or competency-based

BILL

Redraft - C

YEAR

867 credit recovery courses. A student's participation in an  
868 instructional or remediation program prior to or immediately  
869 following entering grade 9 for the first time shall not affect  
870 that student's classification as a first-time 9th grader for  
871 reporting purposes.

872 (g) Strategies to support teachers' pursuit of the reading  
873 endorsement and emphasize reading instruction professional  
874 development for content area teachers.

875 (h) Creative and flexible scheduling designed to meet  
876 student needs.

877 (i) Procedures for high school students who have not  
878 prepared an electronic personal education plan pursuant to s.  
879 1003.4156 to prepare such plan.

880 (j) Tools for parents to regularly monitor student progress  
881 and communicate with teachers.

882 (k) Additional course requirements for promotion and  
883 graduation which may be determined by each school district in the  
884 student progression plan and may include additional academic,  
885 fine and performing arts, physical education, or career and  
886 technical education courses in order to provide a complete  
887 education program pursuant to s. 1001.41(3).

888  
889 Within 30 days after adoption, the district school board policies  
890 shall be submitted to the State Board of Education for approval.  
891 The district school board policies shall be deemed approved  
892 unless specifically rejected by the State Board of Education  
893 within 60 days after receipt.

894 (4) In order to support the successful implementation of  
895 this section by district school boards, the Department of

BILL

Redraft - C

YEAR

Education shall by the 2006-2007 school year:

(a) Increase the number of approved applied, integrated, and combined courses available to school districts.

(b) Make available a professional development package designed to provide the information that content area teachers need to become proficient in applying scientifically based reading strategies through their content areas.

(c) Share best practices for providing a complete education program to students enrolled in course recovery, credit recovery, intensive reading intervention, or intensive mathematics intervention.

(d) Expedite assistance and decisions and coordinate policies throughout all divisions within the department to provide school districts with support to implement this section.

(e) Use data to provide the Legislature with an annual longitudinal analysis of the success of this reform effort, including the progress of 6th grade students and 9th grade students scoring at Level 1 on FCAT Reading or FCAT Mathematics.

(5) The Commissioner of Education shall create and implement the Secondary School Improvement Award Program to reward public secondary schools that demonstrate continuous student academic improvement and show the greatest gains in student academic achievement in reading and mathematics.

Section 18. Section 1003.415, Florida Statutes, is repealed.

Section 19. Section 1003.4156, Florida Statutes, is created to read:

1003.4156 General requirements for middle grades promotion.--



BILL

Redraft - C

YEAR

925        (1) Beginning with students entering grade 6 in the 2006-  
926 2007 school year, promotion from a school composed of middle  
927 grades 6, 7, and 8 requires that:

928        (a) The student must successfully complete academic courses  
929 as follows:

930            1. Three middle school or higher year-long courses in  
931 English. These courses shall emphasize literature, composition,  
932 and reading for information.

933            2. Three middle school or higher year-long courses in  
934 mathematics. Each middle school must offer at least one high-  
935 school-level mathematics course for which students may earn high  
936 school credit.

937            3. Three middle school or higher year-long courses in  
938 social studies, including American history and world history.

939            4. Three middle school or higher year-long courses in  
940 science.

941            5. One half-year course in career exploration and education  
942 planning to be completed in grade 7 or grade 8. The course may be  
943 taught by any member of the instructional staff; must include a  
944 web-based career exploration program; must include educational  
945 planning using the online student advising system Florida  
946 Academic Counseling and Tracking for Students at the Internet  
947 website FACTS.org; must provide information to each student about  
948 high school programs and courses that are available, including  
949 acceleration mechanisms, career and technical programs, and  
950 career and professional academies pursuant to s. 1003.493; and  
951 shall result in the completion of an electronic personal  
952 education plan. Each student's plan must be signed by the  
953 student, the student's guidance counselor, and the student's

BILL

Redraft - C

YEAR

parent. By January 1, 2007, the Department of Education shall develop a course framework and professional development materials for the career exploration and education planning course.

(b) For each year in which a student scores at Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(8).

(c) For each year in which a student scores at Level 1 on FCAT Mathematics, the student must complete an intensive mathematics course the following year, which may be integrated into the student's required mathematics course. These courses are subject to approval by the department for inclusion in the Course Code Directory.

(2) Students in grade 6, grade 7, or grade 8 who are not enrolled in schools with a middle grades configuration are subject to the promotion requirements of this section.

(3) The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.

Section 20. Subsection (1) of section 1003.42, Florida Statutes, is amended to read:

BILL

Redraft - C

YEAR

1003.42 Required instruction.--

(1) Each district school board shall provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that all students have the opportunity to meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.

Section 21. Section 1003.428, Florida Statutes, is created to read:

1003.428 General requirements for high school graduation; revised.--

(1) Except as otherwise authorized pursuant to s. 1003.429, beginning with students entering their first year of high school in the 2007-2008 school year, graduation requires the successful completion of a minimum of 24 credits, an International Baccalaureate curriculum, or an Applied International Certificate of Education curriculum. Students must be advised of eligibility requirements for state scholarship programs and postsecondary admissions.

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(a) Fourteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged

BILL

Redraft - C

YEAR

1012 to set specific goals to increase enrollments in, and successful  
1013 completion of, geometry and Algebra II.

1014 3. Three credits in science, two of which must have a  
1015 laboratory component.

1016 4. Three credits in social studies as follows: one credit  
1017 in American history; one credit in world history; one-half credit  
1018 in economics; and one-half credit in American government.

1019 (b) Ten credits in majors, minors, or electives:

1020 1. Four credits in a major area of study, such as  
1021 sequential courses in a career and technical program, fine and  
1022 performing arts, or academic content area, selected by the  
1023 student as part of the education plan required by s. 1003.4156.  
1024 Annually by October 1, the district school board shall approve  
1025 major areas of study and submit the list of majors to the  
1026 Commissioner of Education for approval. Each major shall be  
1027 deemed approved unless specifically rejected by the commissioner  
1028 within 60 days. Upon approval, each district's majors shall be  
1029 available for use by all school districts and shall be posted on  
1030 the department's website.

1031 2. Six credits in elective courses selected by the student  
1032 as part of the education plan required by s. 1003.4156. These  
1033 credits may be combined to allow for a second major area of study  
1034 pursuant to subparagraph 1., a minor area of study, elective  
1035 courses, intensive reading or mathematics intervention courses,  
1036 or credit recovery courses as described in this subparagraph.

1037 a. Minor areas of study are composed of three credits  
1038 selected by the student as part of the education plan required by  
1039 s. 1003.4156 and approved by the district school board.

1040 b. Elective courses are selected by the student in order to

BILL

Redraft - C

YEAR

pursue a complete education program as described in s. 1001.41(3) and to meet eligibility requirements for scholarships.

c. For each year in which a student scores at Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(8).

d. For each year in which a student scores at Level 1 on FCAT Mathematics, the student must complete an intensive mathematics course the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

e. Credit recovery courses shall be offered so that students can simultaneously earn an elective credit and the recovered credit.

(3)(a) A district school board may require specific courses and programs of study within the minimum credit requirements for high school graduation and shall modify basic courses, as necessary, to assure exceptional students the opportunity to meet the graduation requirements for a standard diploma, using one of the following strategies:

1. Assignment of the exceptional student to an exceptional

BILL

Redraft - C

YEAR

1070 education class for instruction in a basic course with the same  
1071 student performance standards as those required of nonexceptional  
1072 students in the district school board student progression plan;  
1073 or

1074 2. Assignment of the exceptional student to a basic  
1075 education class for instruction that is modified to accommodate  
1076 the student's exceptionality.

1077 (b) The district school board shall determine which of  
1078 these strategies to employ based upon an assessment of the  
1079 student's needs and shall reflect this decision in the student's  
1080 individual education plan.

1081 (4) Each district school board shall establish standards  
1082 for graduation from its schools, which must include:

1083 (a) Earning passing scores on the FCAT, as defined in s.  
1084 1008.22(3)(c), or scores on a standardized test that are  
1085 concordant with passing scores on the FCAT as defined in s.  
1086 1008.22(9).

1087 (b) Completion of all other applicable requirements  
1088 prescribed by the district school board pursuant to s. 1008.25.

1089 (c) Achievement of a cumulative grade point average of 2.0  
1090 on a 4.0 scale, or its equivalent, in the courses required by  
1091 this section.

1092 (5) The State Board of Education, after a public hearing  
1093 and consideration, shall adopt rules based upon the  
1094 recommendations of the commissioner for the provision of test  
1095 accommodations and modifications of procedures as necessary for  
1096 students with disabilities which will demonstrate the student's  
1097 abilities rather than reflect the student's impaired sensory,  
1098 manual, speaking, or psychological process skills.

BILL

Redraft - C

YEAR

1099       (6) The public hearing and consideration required in  
1100 subsection (5) shall not be construed to amend or nullify the  
1101 requirements of security relating to the contents of examinations  
1102 or assessment instruments and related materials or data as  
1103 prescribed in s. 1008.23.

1104       (7) (a) A student who meets all requirements prescribed in  
1105 subsections (1), (2), (3), and (4) shall be awarded a standard  
1106 diploma in a form prescribed by the State Board of Education.

1107       (b) A student who completes the minimum number of credits  
1108 and other requirements prescribed by subsections (1), (2), and  
1109 (3), but who is unable to meet the standards of paragraph (4) (a),  
1110 paragraph (4) (b), or paragraph (4) (c), shall be awarded a  
1111 certificate of completion in a form prescribed by the State Board  
1112 of Education. However, any student who is otherwise entitled to a  
1113 certificate of completion may elect to remain in the secondary  
1114 school either as a full-time student or a part-time student for  
1115 up to 1 additional year and receive special instruction designed  
1116 to remedy his or her identified deficiencies.

1117       (8) (a) Each district school board must provide instruction  
1118 to prepare students with disabilities to demonstrate proficiency  
1119 in the skills and competencies necessary for successful grade-to-  
1120 grade progression and high school graduation.

1121       (b) A student with a disability, as defined in s.  
1122 1007.02(2), for whom the individual education plan (IEP)  
1123 committee determines that the FCAT cannot accurately measure the  
1124 student's abilities taking into consideration all allowable  
1125 accommodations, shall have the FCAT requirement of paragraph  
1126 (4) (a) waived for the purpose of receiving a standard high school  
1127 diploma, if the student:

BILL

Redraft - C

YEAR

1128        1. Completes the minimum number of credits and other  
1129 requirements prescribed by subsections (1), (2), and (3).

1130        2. Does not meet the requirements of paragraph (4)(a) after  
1131 one opportunity in 10th grade and one opportunity in 11th grade.

1132        (9) The Commissioner of Education may award a standard high  
1133 school diploma to honorably discharged veterans who started high  
1134 school between 1937 and 1946 and were scheduled to graduate  
1135 between 1941 and 1950 but were inducted into the United States  
1136 Armed Forces between September 16, 1940, and December 31, 1946,  
1137 prior to completing the necessary high school graduation  
1138 requirements. Upon the recommendation of the commissioner, the  
1139 State Board of Education may develop criteria and guidelines for  
1140 awarding such diplomas.

1141        (10) The Commissioner of Education may award a standard  
1142 high school diploma to honorably discharged veterans who started  
1143 high school between 1946 and 1950 and were scheduled to graduate  
1144 between 1950 and 1954, but were inducted into the United States  
1145 Armed Forces between June 27, 1950, and January 31, 1955, and  
1146 served during the Korean Conflict prior to completing the  
1147 necessary high school graduation requirements. Upon the  
1148 recommendation of the commissioner, the State Board of Education  
1149 may develop criteria and guidelines for awarding such diplomas.

1150        (11) The State Board of Education may adopt rules pursuant  
1151 to ss. 120.536(1) and 120.54 to implement the provisions of this  
1152 section and may enforce the provisions of this section pursuant  
1153 to s. 1008.32.

1154        Section 22. Section 1003.437, Florida Statutes, is amended  
1155 to read:

1156        1003.437 Middle and high school grading system.--The



BILL

Redraft - C

YEAR

grading system and interpretation of letter grades used for  
students in public high schools in grades 6 through 12 shall be  
as follows:

(1) Grade "A" equals 90 percent through 100 percent, has a  
grade point average value of 4, and is defined as "outstanding  
progress."

(2) Grade "B" equals 80 percent through 89 percent, has a  
grade point average value of 3, and is defined as "above average  
progress."

(3) Grade "C" equals 70 percent through 79 percent, has a  
grade point average value of 2, and is defined as "average  
progress."

(4) Grade "D" equals 60 percent through 69 percent, has a  
grade point average value of 1, and is defined as "lowest  
acceptable progress."

(5) Grade "F" equals zero percent through 59 percent, has a  
grade point average value of zero, and is defined as "failure."

(6) Grade "I" equals zero percent, has a grade point  
average value of zero, and is defined as "incomplete."

For the purposes of class ranking for students in grades 9  
through 12, district school boards may exercise a weighted  
grading system.

Section 23. Subsections (3) and (4) of section 1003.492,  
Florida Statutes, are repealed.

Section 24. Section 1003.493, Florida Statutes, is created  
to read:

1003.493 Career and professional academies.--

(1) A career and professional academy is a research-based

BILL

Redraft - C

YEAR

1186 program that integrates a rigorous academic curriculum with an  
1187 industry-driven career curriculum. Career and professional  
1188 academies may be offered by public schools, school districts, or  
1189 the Florida Virtual School. Students completing career and  
1190 professional academy programs receive a standard high school  
1191 diploma, the highest available industry certification, and  
1192 postsecondary credit if the academy partners with a postsecondary  
1193 institution.

1194 (2) The goals of career and professional academies are to:

1195 (a) Increase student academic achievement and graduation  
1196 rates through integrated academic and career curricula.

1197 (b) Focus on career preparation through rigorous academics  
1198 and industry certification.

1199 (c) Raise student aspiration and commitment to academic  
1200 achievement and work ethics.

1201 (d) Support the revised graduation requirements pursuant to  
1202 s. 1003.428 by providing creative, applied majors.

1203 (e) Promote acceleration mechanisms, such as dual  
1204 enrollment, articulated credit, or occupational completion  
1205 points, so that students may earn postsecondary credit while in  
1206 high school.

1207 (f) Support the state's economy by meeting industry needs  
1208 for skilled employees in high-demand occupations.

1209 (3) A career and professional academy may be offered as one  
1210 of the following small learning communities:

1211 (a) A school-within-a-school career academy, as part of an  
1212 existing high school, that provides courses in one occupational  
1213 cluster. Students in the high school are not required to be  
1214 students in the academy.

BILL

Redraft - C

YEAR

(b) A total school configuration providing multiple academies each structured around an occupational cluster. Every student in the school is in an academy.

(4) Each career and professional academy must:

(a) Provide a rigorous standards-based academic curriculum integrated with a career curriculum. The curriculum must take into consideration multiple styles of student learning; promote learning by doing through application and adaptation; maximize relevance of the subject matter; enhance each student's capacity to excel; and include an emphasis on work habits and work ethics.

(b) Include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. Such partnerships must provide opportunities for:

1. Instruction from highly skilled professionals.
2. Internships, externships, and on-the-job training.
3. A postsecondary degree, diploma, or certificate.
4. The highest available level of industry certification.

Where no national or state certification exists, school districts may establish a local certification in conjunction with the local workforce development board, the chamber of commerce, or the Agency for Workforce Innovation.

5. Maximum articulation of credits pursuant to s. 1007.23 upon program completion.

(c) Provide creative and tailored student advisement, including parent participation and coordination with middle schools to provide career exploration and education planning as required under s. 1003.4156. Coordination with middle schools

BILL

Redraft - C

YEAR

1244 must provide information to middle school students about  
1245 secondary and postsecondary career education programs and  
1246 academies.

1247 (d) Provide a career education certification on the high  
1248 school diploma pursuant to s. 1003.431.

1249 (e) Provide instruction in careers designated as high  
1250 growth, high demand, and high pay by the local workforce  
1251 development board, the chamber of commerce, or the Agency for  
1252 Workforce Innovation.

1253 (f) Deliver academic content through instruction relevant  
1254 to the career, including intensive reading and mathematics  
1255 intervention required by s. 1003.428, with an emphasis on  
1256 strengthening reading for information skills.

1257 (g) Provide instruction resulting in competency,  
1258 certification, or credentials in workplace skills, including, but  
1259 not limited to, communication skills, interpersonal skills,  
1260 decisionmaking skills, the importance of attendance and  
1261 timeliness in the work environment, and work ethics.

1262 (h) Provide opportunities for students to obtain the  
1263 Florida Ready to Work Certification pursuant to s. 1004.99.

1264 (i) Include an evaluation plan developed jointly with the  
1265 Department of Education. The evaluation plan must include a self-  
1266 assessment tool based on standards, such as the Career Academy  
1267 National Standards of Practice, and outcome measures including,  
1268 but not limited to, graduation rates, enrollment in postsecondary  
1269 education, business and industry satisfaction, employment and  
1270 earnings, achievement of industry certification, awards of  
1271 postsecondary credit, and FCAT achievement levels and learning  
1272 gains.

BILL

Redraft - C

YEAR

1273           Section 25.   Section 1003.57, Florida Statutes, is amended  
1274 to read:

1275           1003.57   Exceptional students instruction.--

1276           (1)   Each district school board shall provide for an  
1277 appropriate program of special instruction, facilities, and  
1278 services for exceptional students as prescribed by the State  
1279 Board of Education as acceptable, including provisions that:

1280           (a)~~(1)~~   The district school board provide the necessary  
1281 professional services for diagnosis and evaluation of exceptional  
1282 students.

1283           (b)~~(2)~~   The district school board provide the special  
1284 instruction, classes, and services, either within the district  
1285 school system, in cooperation with other district school systems,  
1286 or through contractual arrangements with approved private schools  
1287 or community facilities that meet standards established by the  
1288 commissioner.

1289           (c)~~(3)~~   The district school board annually provide  
1290 information describing the Florida School for the Deaf and the  
1291 Blind and all other programs and methods of instruction available  
1292 to the parent of a sensory-impaired student.

1293           (d)~~(4)~~   The district school board, once every 3 years,  
1294 submit to the department its proposed procedures for the  
1295 provision of special instruction and services for exceptional  
1296 students.

1297           (e)~~(5)~~   A ~~No~~ student may not be given special instruction or  
1298 services as an exceptional student until after he or she has been  
1299 properly evaluated, classified, and placed in the manner  
1300 prescribed by rules of the State Board of Education. The parent  
1301 of an exceptional student evaluated and placed or denied

BILL

Redraft - C

YEAR

1302 placement in a program of special education shall be notified of  
 1303 each such evaluation and placement or denial. Such notice shall  
 1304 contain a statement informing the parent that he or she is  
 1305 entitled to a due process hearing on the identification,  
 1306 evaluation, and placement, or lack thereof. Such hearings shall  
 1307 be exempt from the provisions of ss. 120.569, 120.57, and  
 1308 286.011, except to the extent that the State Board of Education  
 1309 adopts rules establishing other procedures and any records  
 1310 created as a result of such hearings shall be confidential and  
 1311 exempt from the provisions of s. 119.07(1). The hearing must be  
 1312 conducted by an administrative law judge from the Division of  
 1313 Administrative Hearings of the Department of Management Services.  
 1314 The decision of the administrative law judge shall be final,  
 1315 except that any party aggrieved by the finding and decision  
 1316 rendered by the administrative law judge shall have the right to  
 1317 bring a civil action in the circuit court. In such an action, the  
 1318 court shall receive the records of the administrative hearing and  
 1319 shall hear additional evidence at the request of either party. In  
 1320 the alternative, any party aggrieved by the finding and decision  
 1321 rendered by the administrative law judge shall have the right to  
 1322 request an impartial review of the administrative law judge's  
 1323 order by the district court of appeal as provided by s. 120.68.  
 1324 Notwithstanding any law to the contrary, during the pendency of  
 1325 any proceeding conducted pursuant to this section, unless the  
 1326 district school board and the parents otherwise agree, the  
 1327 student shall remain in his or her then-current educational  
 1328 assignment or, if applying for initial admission to a public  
 1329 school, shall be assigned, with the consent of the parents, in  
 1330 the public school program until all such proceedings have been

BILL

Redraft - C

YEAR

completed.

~~(f)(6)~~ In providing for the education of exceptional students, the district school superintendent, principals, and teachers shall utilize the regular school facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. Segregation of exceptional students shall occur only if the nature or severity of the exceptionality is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

~~(g)(7)~~ In addition to the services agreed to in a student's individual education plan, the district school superintendent shall fully inform the parent of a student having a physical or developmental disability of all available services that are appropriate for the student's disability. The superintendent shall provide the student's parent with a summary of the student's rights.

(2)(a) An exceptional student with a disability who resides in a residential facility and receives special instruction or services is considered a resident of the state in which the student's parent is a resident. The cost of such instruction, facilities, and services for a nonresident student with a disability shall be provided by the placing authority in the student's state of residence, such as a public school entity, other placing authority, or parent. A nonresident student with a disability may not be reported by any school district for FTE funding in the Florida Education Finance Program.

(b) The Department of Education shall provide to each school district a statement of the specific limitations of the district's financial obligation for exceptional students with

BILL

Redraft - C

YEAR

1360 disabilities under federal and state law. The department shall  
1361 also provide to each school district technical assistance as  
1362 necessary for developing a local plan to impose on a student's  
1363 home state the fiscal responsibility for educating a nonresident  
1364 exceptional student with a disability.

1365 (c) The Department of Education shall develop a process by  
1366 which a school district must, before providing services to an  
1367 exceptional student with a disability who resides in a  
1368 residential facility in this state, review the residency of the  
1369 student. The residential facility, not the district, is  
1370 responsible for billing and collecting from a nonresidential  
1371 student's home state payment for the student's educational and  
1372 related services.

1373 (d) This subsection applies to any nonresident student with  
1374 a disability who resides in a residential facility and who  
1375 receives instruction as an exceptional student with a disability  
1376 in any type of residential facility in this state, including, but  
1377 not limited to, a public school, a private school, a group home  
1378 facility as defined in s. 393.063, an intensive residential  
1379 treatment program for children and adolescents as defined in s.  
1380 395.002, a facility as defined in s. 394.455, an intermediate  
1381 care facility for the developmentally disabled or ICF/DD as  
1382 defined in s. 393.063 or s. 400.960, or a community residential  
1383 home as defined in s. 419.001.

1384 Section 26. Section 1003.576, Florida Statutes, is created  
1385 to read:

1386 1003.576 Individual education plans for exceptional  
1387 students.--The Department of Education shall develop an  
1388 individual education plan (IEP) form for use in developing and



BILL

Redraft - C

YEAR

1389 implementing individual education plans for exceptional students.  
 1390 The IEP form must be available electronically, include notice of  
 1391 testing accommodations pursuant to s. 1008.22(3), and have a  
 1392 streamlined format. To provide for the use of an existing IEP  
 1393 form when a student transfers from one school district to  
 1394 another, the IEP form developed by the department must be used in  
 1395 each school district in the state.

1396       Section 27. Subsection (3) of section 1003.58, Florida  
 1397 Statutes, is amended to read:

1398       1003.58 Students in residential care facilities.--Each  
 1399 district school board shall provide educational programs  
 1400 according to rules of the State Board of Education to students  
 1401 who reside in residential care facilities operated by the  
 1402 Department of Children and Family Services.

1403       (3) The district school board shall have full and complete  
 1404 authority in the matter of the assignment and placement of such  
 1405 students in educational programs. The parent of an exceptional  
 1406 student shall have the same due process rights as are provided  
 1407 under s. 1003.57 (1) (e) ~~(5)~~.

1408  
 1409 Notwithstanding the provisions herein, the educational program at  
 1410 the Marianna Sunland Center in Jackson County shall be operated  
 1411 by the Department of Education, either directly or through grants  
 1412 or contractual agreements with other public or duly accredited  
 1413 educational agencies approved by the Department of Education.

1414       Section 28. Paragraph (a) of subsection (1) and paragraph  
 1415 (a) of subsection (2) of section 1003.62, Florida Statutes, are  
 1416 amended to read:

BILL

Redraft - C

YEAR

1003.62 Academic performance-based charter school districts.--The State Board of Education may enter into a performance contract with district school boards as authorized in this section for the purpose of establishing them as academic performance-based charter school districts. The purpose of this section is to examine a new relationship between the State Board of Education and district school boards that will produce significant improvements in student achievement, while complying with constitutional and statutory requirements assigned to each entity.

(1) ACADEMIC PERFORMANCE-BASED CHARTER SCHOOL DISTRICT.--

(a) A school district shall be eligible for designation as an academic performance-based charter school district if it is a high-performing school district in which a minimum of 50 percent of the schools earn a ~~performance~~ grade of category "A" or "B" and in which no school earns a ~~performance~~ grade of category "D" or "F" for 2 consecutive years pursuant to s. 1008.34. Schools that receive a ~~performance~~ grade of category "I" or "N" shall not be included in this calculation. The performance contract for a school district that earns a charter based on school ~~performance~~ grades shall be predicated on maintenance of at least 50 percent of the schools in the school district earning a ~~performance~~ grade of category "A" or "B" with no school in the school district earning a ~~performance~~ grade of category "D" or "F" for 2 consecutive years. A school district in which the number of schools that earn a ~~performance~~ grade of "A" or "B" is less than 50 percent may have its charter renewed for 1 year; however, if the percentage of "A" or "B" schools is less than 50 percent for 2 consecutive years, the charter shall not be renewed.

BILL

Redraft - C

YEAR

1446           (2)   EXEMPTION FROM STATUTES AND RULES.--

1447           (a)   An academic performance-based charter school district

1448 shall operate in accordance with its charter and shall be exempt

1449 from certain State Board of Education rules and statutes if the

1450 State Board of Education determines such an exemption will assist

1451 the district in maintaining or improving its high-performing

1452 status pursuant to paragraph (1)(a). However, the State Board of

1453 Education may not exempt an academic performance-based charter

1454 school district from any of the following statutes:

1455           1.   Those statutes pertaining to the provision of services

1456 to students with disabilities.

1457           2.   Those statutes pertaining to civil rights, including s.

1458 1000.05, relating to discrimination.

1459           3.   Those statutes pertaining to student health, safety, and

1460 welfare.

1461           4.   Those statutes governing the election or compensation of

1462 district school board members.

1463           5.   Those statutes pertaining to the student assessment

1464 program and the school grading system, including chapter 1008.

1465           6.   Those statutes pertaining to financial matters,

1466 including chapter 1010.

1467           7.   Those statutes pertaining to planning and budgeting,

1468 including chapter 1011, except that ss. 1011.64 and 1011.69 shall

1469 be eligible for exemption.

1470           8.   Sections 1012.22(1)(c) and 1012.27(2), relating to

1471 performance-pay policies and differentiated pay for school

1472 administrators and instructional personnel. Professional service

1473 contracts shall be subject to the provisions of ss. 1012.33 and

1474 1012.34.

BILL

Redraft - C

YEAR

9. Those statutes pertaining to educational facilities, including chapter 1013, except as specified under contract with the State Board of Education. However, no contractual provision that could have the effect of requiring the appropriation of additional capital outlay funds to the academic performance-based charter school district shall be valid.

Section 29. Section 1004.99, Florida Statutes, is created to read:

1004.99 Florida Ready to Work Certification Program.--

(1) There is created the Florida Ready to Work Certification Program to enhance the workplace skills of Florida's students to better prepare them for successful entry-level employment in specific occupations.

(2) The Florida Ready to Work Certification Program may be conducted in public high schools, community colleges, technical centers, one-stop career centers, vocational rehabilitation centers, and Department of Juvenile Justice educational facilities. The Department of Education shall establish institutional readiness criteria for program implementation.

(3) The Florida Ready to Work Certification Program shall be composed of:

(a) A comprehensive identification of workplace skills for each occupation identified for inclusion in the program by the Agency for Workforce Innovation.

(b) A preinstructional assessment that delineates the student's mastery level on the specific workplace skills identified for that occupation.

(c) A targeted instructional program limited to those identified workplace skills in which the student is not

BILL

Redraft - C

YEAR

proficient as measured by the preinstructional assessment.  
Instruction must utilize a web-based program and be customized to  
meet identified specific needs of local employers.

(d) A certificate and portfolio awarded to students upon  
successful completion of the instruction. Each portfolio must  
delineate the skills demonstrated by the student as evidence of  
the student's preparation for employment.

(4) The State Board of Education, in consultation with the  
Agency for Workforce Innovation, may adopt rules pursuant to ss.  
120.536(1) and 120.54 to implement the provisions of this  
section.

Section 30. Subsection (4) of section 1006.09, Florida  
Statutes, is amended to read:

1006.09 Duties of school principal relating to student  
discipline and school safety.--

(4) When a student has been the victim of a violent crime  
perpetrated by another student who attends the same school, the  
school principal shall make full and effective use of the  
provisions of subsection (2) and s. 1006.13(5). A school  
principal who fails to comply with this subsection shall be  
ineligible for any portion of the performance-pay ~~performance pay~~  
policy incentive or the differentiated pay under s.  
1012.22(1)(c). However, if any party responsible for notification  
fails to properly notify the school, the school principal shall  
be eligible for the incentive or differentiated pay.

Section 31. Paragraph (c) of subsection (3) of section  
1007.2615, Florida Statutes, is amended to read:

1007.2615 American Sign Language; findings; foreign-  
language credits authorized; teacher licensing.--

BILL

Redraft - C

YEAR

(3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN FOR POSTSECONDARY EDUCATION PROVIDERS.--

(c) An ASL teacher must be certified by the Department of Education by July 1, 2009 ~~January 1, 2008, and must obtain current certification through the Florida American Sign Language Teachers' Association (FASLTA) by January 1, 2006. New FASLTA certification may be used by current ASL teachers as an alternative certification track.~~

Section 32. Paragraph (f) of subsection (1), paragraphs (c) and (e) of subsection (3), and subsection (9) of section 1008.22, Florida Statutes, are amended, paragraph (g) is added to subsection (3), subsection (10) is renumbered as subsection (11), and a new subsection (10) is added to that section, to read:

1008.22 Student assessment program for public schools.--

(1) PURPOSE.--The primary purposes of the student assessment program are to provide information needed to improve the public schools by enhancing the learning gains of all students and to inform parents of the educational progress of their public school children. The program must be designed to:

(f) Provide information on the performance of Florida students compared with that of other students ~~others~~ across the United States.

(3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The

BILL

Redraft - C

YEAR

1562 commissioner may enter into contracts for the continued  
1563 administration of the assessment, testing, and evaluation  
1564 programs authorized and funded by the Legislature. Contracts may  
1565 be initiated in 1 fiscal year and continue into the next and may  
1566 be paid from the appropriations of either or both fiscal years.  
1567 The commissioner is authorized to negotiate for the sale or lease  
1568 of tests, scoring protocols, test scoring services, and related  
1569 materials developed pursuant to law. Pursuant to the statewide  
1570 assessment program, the commissioner shall:

1571 (c) Develop and implement a student achievement testing  
1572 program known as the Florida Comprehensive Assessment Test (FCAT)  
1573 as part of the statewide assessment program, ~~to be administered~~  
1574 ~~annually in grades 3 through 10~~ to measure reading, writing,  
1575 science, and mathematics. Other content areas may be included as  
1576 directed by the commissioner. The assessment of reading and  
1577 mathematics shall be administered annually in grades 3 through  
1578 10. The assessment of writing and science shall be administered  
1579 at least once at the elementary, middle, and high school levels.  
1580 The commissioner must document the procedures that ensure that  
1581 the versions of the FCAT taken by students retaking the grade 10  
1582 FCAT are as equally challenging and difficult as the tests taken  
1583 by students in grade 10 that contain performance tasks. The  
1584 testing program must be designed so that:

1585 1. The tests measure student skills and competencies  
1586 adopted by the State Board of Education as specified in paragraph  
1587 (a). The tests must measure and report student proficiency levels  
1588 in reading, writing, mathematics, and science. The commissioner  
1589 shall provide for the tests to be developed or obtained, as  
1590 appropriate, through contracts and project agreements with

BILL

Redraft - C

YEAR

private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators and the public.

2. The testing program will include a combination of norm-referenced and criterion-referenced tests and include, to the extent determined by the commissioner, questions that require the student to produce information or perform tasks in such a way that the skills and competencies he or she uses can be measured.

3. Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate methods.

4. A score is designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores ~~on an alternate assessment~~ as described in subsection (9) in reading, writing, and mathematics to qualify for a regular high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. ~~All students who took the grade 10 FCAT during the 2000-2001 school year shall be required to earn the passing scores in reading and mathematics established by the State Board of Education for the March 2001~~



BILL

Redraft - C

YEAR

1620 ~~test administration. Such students who did not earn the~~  
 1621 ~~established passing scores and must repeat the grade 10 FCAT are~~  
 1622 ~~required to earn the passing scores established for the March~~  
 1623 ~~2001 test administration. All students who take the grade 10 FCAT~~  
 1624 ~~for the first time in March 2002 shall be required to earn the~~  
 1625 ~~passing scores in reading and mathematics established by the~~  
 1626 ~~State Board of Education for the March 2002 test administration.~~  
 1627 The State Board of Education shall adopt rules which specify the  
 1628 passing scores for the grade 10 FCAT. Any such rules, which have  
 1629 the effect of raising the required passing scores, shall only  
 1630 apply to students taking the grade 10 FCAT for the first time  
 1631 after such rules are adopted by the State Board of Education.  
 1632         6. Participation in the testing program is mandatory for  
 1633 all students attending public school, including students served  
 1634 in Department of Juvenile Justice programs, except as otherwise  
 1635 prescribed by the commissioner. If a student does not participate  
 1636 in the statewide assessment, the district must notify the  
 1637 student's parent and provide the parent with information  
 1638 regarding the implications of such nonparticipation. If  
 1639 modifications are made in the student's instruction to provide  
 1640 accommodations that would not be permitted on the statewide  
 1641 assessment tests, the district must notify the student's parent  
 1642 of the implications of such instructional modifications. A parent  
 1643 must provide signed consent for a student to receive  
 1644 instructional modifications that would not be permitted on the  
 1645 statewide assessments and must acknowledge in writing that he or  
 1646 she understands the implications of such accommodations. The  
 1647 State Board of Education shall adopt rules, based upon  
 1648 recommendations of the commissioner, for the provision of test

BILL

Redraft - C

YEAR

1649 accommodations and modifications of procedures as necessary for  
1650 students in exceptional education programs and for students who  
1651 have limited English proficiency. Accommodations that negate the  
1652 validity of a statewide assessment are not allowable.

1653 7. A student seeking an adult high school diploma must meet  
1654 the same testing requirements that a regular high school student  
1655 must meet.

1656 8. District school boards must provide instruction to  
1657 prepare students to demonstrate proficiency in the skills and  
1658 competencies necessary for successful grade-to-grade progression  
1659 and high school graduation. If a student is provided with  
1660 accommodations or modifications that are not allowable in the  
1661 statewide assessment program, as described in the test manuals,  
1662 the district must inform the parent in writing and must provide  
1663 the parent with information regarding the impact on the student's  
1664 ability to meet expected proficiency levels in reading, writing,  
1665 and math. The commissioner shall conduct studies as necessary to  
1666 verify that the required skills and competencies are part of the  
1667 district instructional programs.

1668 9. District school boards must provide opportunities for  
1669 students to demonstrate an acceptable level of performance on an  
1670 alternative standardized assessment approved by the State Board  
1671 of Education following enrollment in summer academies.

1672 10.9- The Department of Education must develop, or select,  
1673 and implement a common battery of assessment tools that will be  
1674 used in all juvenile justice programs in the state. These tools  
1675 must accurately measure the skills and competencies established  
1676 in the ~~Florida~~ Sunshine State Standards.  
1677

BILL

Redraft - C

YEAR

The commissioner may design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state.

(e) Conduct ongoing research and analysis of student achievement data, including, without limitation, monitoring trends in student achievement by grade level and overall student achievement, identifying school programs that are successful, and analyzing correlates of school achievement.

(g) Study the cost and student achievement impact of secondary end-of-course assessments, including web-based and performance formats, and report to the Legislature prior to implementation.

(9) CONCORDANT SCORES FOR THE FCAT ~~EQUIVALENCIES FOR STANDARDIZED TESTS.~~ --

(a) The State Board of Education shall analyze the content and concordant data sets for widely used high school achievement tests, including, but not limited to, the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if concordant scores can be determined that correspond to those required on the FCAT for high school graduation. In cases where concordant scores can be determined, the Commissioner of Education shall adopt those scores as meeting the graduation requirement in lieu of achieving the FCAT passing score. Each time that test content or scoring procedures are changed for either the FCAT or one of the identified tests, new concordant scores must be determined. The use of concordant scores shall take effect for students who are eligible to graduate beginning in the 2003-2004 academic year and thereafter. ~~The Commissioner of Education shall approve the use~~

BILL

Redraft - C

YEAR

1706 ~~of the SAT and ACT tests as alternative assessments to the grade~~  
1707 ~~10 FCAT for the 2003-2004 school year.~~

1708 (b) Students who attain concordant scores pursuant to this  
1709 subsection on the SAT or ACT which equate to the passing scores  
1710 on the grade 10 FCAT for purposes of high school graduation shall  
1711 satisfy the assessment requirement for a standard high school  
1712 diploma as provided in s. 1003.429(6)(a) or s. 1003.43(5)(a) for  
1713 the 2003-2004 school year if the students meet the requirement in  
1714 paragraph (c) ~~(b)~~.

1715 (c) ~~(b)~~ A student shall be required to take each subject  
1716 area of the grade 10 FCAT a total of three times without earning  
1717 a passing score in order to use the concordant subject area  
1718 scores on an alternative assessment pursuant to this subsection  
1719 paragraph (a). This requirement shall not apply to a new student  
1720 who enters the Florida is a new student to the public school  
1721 system in grade 12, who may either take the FCAT or use approved  
1722 concordant scores to fulfill the graduation requirement.

1723 (10) REPORTS.--The Department of Education shall annually  
1724 provide a report to the Governor, the President of the Senate,  
1725 and the Speaker of the House of Representatives on the following:

1726 (a) Longitudinal performance of students in mathematics and  
1727 reading.

1728 (b) Longitudinal performance of students by grade level in  
1729 mathematics and reading.

1730 (c) Longitudinal performance regarding efforts to close the  
1731 achievement gap.

1732 (d) Longitudinal performance of students on the norm-  
1733 referenced component of the FCAT.

1734 (e) Other student performance data based on national norm-

BILL

Redraft - C

YEAR

1735 referenced and criterion-referenced tests, when available, and  
 1736 numbers of students who after 8th grade enroll in adult education  
 1737 rather than other secondary education.

1738       Section 33. Section 1008.221, Florida Statutes, is  
 1739 repealed.

1740       Section 34. Paragraph (b) of subsection (4) and paragraph  
 1741 (b) of subsection (8) of section 1008.25, Florida Statutes, are  
 1742 amended, and paragraph (c) is added to subsection (8) of that  
 1743 section, to read:

1744       1008.25 Public school student progression; remedial  
 1745 instruction; reporting requirements.--

1746       (4) ASSESSMENT AND REMEDIATION.--

1747       (b) The school in which the student is enrolled must  
 1748 develop, in consultation with the student's parent, and must  
 1749 implement an academic improvement plan designed to assist the  
 1750 student in meeting state and district expectations for  
 1751 proficiency. ~~For a student for whom a personalized middle school~~  
 1752 ~~success plan is required pursuant to s. 1003.415, the middle~~  
 1753 ~~school success plan must be incorporated in the student's~~  
 1754 ~~academic improvement plan.~~ Beginning with the 2002-2003 school  
 1755 year, if the student has been identified as having a deficiency  
 1756 in reading, the academic improvement plan shall identify the  
 1757 student's specific areas of deficiency in phonemic awareness,  
 1758 phonics, fluency, comprehension, and vocabulary; the desired  
 1759 levels of performance in these areas; and the instructional and  
 1760 support services to be provided to meet the desired levels of  
 1761 performance. Schools shall also provide for the frequent  
 1762 monitoring of the student's progress in meeting the desired  
 1763 levels of performance. District school boards may require low-

BILL

Redraft - C

YEAR

1764 performing students to attend remediation programs held before or  
1765 after regular school hours or during the summer, upon the request  
1766 of the school principal, and shall assist schools and teachers to  
1767 implement research-based reading activities that have been shown  
1768 to be successful in teaching reading to low-performing students.  
1769 Remedial instruction provided during high school may not be in  
1770 lieu of English and mathematics credits required for graduation.

1771 (8) ANNUAL REPORT.--

1772 (b) ~~Beginning with the 2001-2002 school year,~~ Each district  
1773 school board must annually publish in the local newspaper, and  
1774 report in writing to the State Board of Education by September 1  
1775 of each year, the following information on the prior school year:

1776 1. The provisions of this section relating to public school  
1777 student progression and the district school board's policies and  
1778 procedures on student retention and promotion.

1779 2. By grade, the number and percentage of all students in  
1780 grades 3 through 10 performing at Levels 1 and 2 on the reading  
1781 portion of the FCAT.

1782 3. By grade, the number and percentage of all students  
1783 retained in grades 3 through 10.

1784 4. Information on the total number of students who were  
1785 promoted for good cause, by each category of good cause as  
1786 specified in paragraph (6)(b).

1787 5. Any revisions to the district school board's policy on  
1788 student retention and promotion from the prior year.

1789 (c) The Department of Education shall establish a uniform  
1790 format for school districts to report the information required in  
1791 paragraph (b). The format shall be developed with input from  
1792 district school boards and shall be provided not later than 90

BILL

Redraft - C

YEAR

1793 days prior to the annual due date. The department shall annually  
 1794 compile the information required in subparagraphs (b)2., 3., and  
 1795 4., along with state-level summary information, and report such  
 1796 information to the Governor, the President of the Senate, and the  
 1797 Speaker of the House of Representatives.

1798       Section 35. Section 1008.301, Florida Statutes, is  
 1799 repealed.

1800       Section 36. Paragraphs (d) and (e) of subsection (1),  
 1801 paragraphs (b) and (c) of subsection (2), and subsection (3) of  
 1802 section 1008.31, Florida Statutes, are amended, and subsection  
 1803 (4) is added to that section, to read:

1804       1008.31 Florida's K-20 education performance accountability  
 1805 system; legislative intent; ~~performance-based funding~~; mission,  
 1806 goals, and systemwide measures; data quality improvements.--

1807       (1) LEGISLATIVE INTENT.--It is the intent of the  
 1808 Legislature that:

1809       (d) The State Board of Education and the Board of Governors  
 1810 of the State University System recommend to the Legislature  
 1811 systemwide performance standards; the Legislature establish  
 1812 systemwide performance measures and standards; and the systemwide  
 1813 measures and standards provide Floridians with information on  
 1814 what the public is receiving in return for the funds it invests  
 1815 in education and how well the K-20 system educates its students.

1816       (e)1. The State Board of Education establish performance  
 1817 measures and set performance standards for individual ~~components~~  
 1818 ~~of the public education system, including individual schools and~~  
 1819 community colleges ~~postsecondary educational institutions~~, with  
 1820 measures and standards based primarily on student achievement.

BILL

Redraft - C

YEAR

1821        2. The Board of Governors of the State University System  
1822 establish performance measures and set performance standards for  
1823 individual state universities.

1824        (2) MISSION, GOALS, AND SYSTEMWIDE MEASURES.--

1825        (b) The process ~~State Board of Education shall adopt~~  
1826 ~~guiding principles~~ for establishing state and sector-specific  
1827 standards and measures must be:

1828            1. Focused on student success.

1829            2. Addressable through policy and program changes.

1830            3. Efficient and of high quality.

1831            4. Measurable over time.

1832            5. Simple to explain and display to the public.

1833            6. Aligned with other measures and other sectors to support  
1834 a coordinated K-20 education system.

1835        (c) The Department ~~State Board~~ of Education shall maintain  
1836 an accountability system that measures student progress toward  
1837 the following goals:

1838            1. Highest student achievement, as indicated by evidence of  
1839 student learning gains at all levels ~~measured by: student FCAT~~  
1840 ~~performance and annual learning gains; the number and percentage~~  
1841 ~~of schools that improve at least one school performance grade~~  
1842 ~~designation or maintain a school performance grade designation of~~  
1843 ~~"A" pursuant to s. 1008.34; graduation or completion rates at all~~  
1844 ~~learning levels; and other measures identified in law or rule.~~

1845            2. Seamless articulation and maximum access, as measured by  
1846 evidence of progression, readiness, and access by targeted groups  
1847 of students identified by the Commissioner of Education; ~~the~~  
1848 ~~percentage of students who demonstrate readiness for the~~  
1849 ~~educational level they are entering, from kindergarten through~~



BILL

Redraft - C

YEAR

~~postsecondary education and into the workforce; the number and percentage of students needing remediation; the percentage of Floridians who complete associate, baccalaureate, graduate, professional, and postgraduate degrees; the number and percentage of credits that articulate; the extent to which each set of exit point requirements matches the next set of entrance point requirements; the degree to which underserved populations access educational opportunity; the extent to which access is provided through innovative educational delivery strategies; and other measures identified in law or rule.~~

3. Skilled workforce and economic development, as measured by evidence of employment and earnings: ~~the number and percentage of graduates employed in their areas of preparation; the percentage of Floridians with high school diplomas and postsecondary education credentials; the percentage of business and community members who find that Florida's graduates possess the skills they need; national rankings; and other measures identified in law or rule.~~

4. Quality efficient services, as measured by evidence of return on investment: ~~cost per completer or graduate; average cost per noncompleter at each educational level; cost disparity across institutions offering the same degrees; the percentage of education customers at each educational level who are satisfied with the education provided; and other measures identified in law or rule.~~

5. Other goals as identified by law or rule.

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS SYSTEMWIDE DATA COLLECTION.--To provide data required to implement education performance accountability measures in state and federal law, the

BILL

Redraft - C

YEAR

1879 Commissioner of Education shall initiate and maintain strategies  
1880 to improve data quality and timeliness. All data collected from  
1881 state universities shall, as determined by the commissioner, be  
1882 integrated into the K-20 data warehouse. The commissioner shall  
1883 have unlimited access to such data solely for the purposes of  
1884 conducting studies, reporting annual and longitudinal student  
1885 outcomes, and improving college readiness and articulation. All  
1886 public educational institutions shall provide data to the K-20  
1887 data warehouse in a format specified by the commissioner.

1888 (a) School districts and public postsecondary educational  
1889 institutions shall maintain information systems that will provide  
1890 the State Board of Education, the Board of Governors of the State  
1891 University System, and the Legislature with information and  
1892 reports necessary to address the specifications of the  
1893 accountability system. ~~The State Board of Education shall~~  
1894 ~~determine the standards for the required data.~~ The level of  
1895 comprehensiveness and quality shall be no less than that which  
1896 was available as of June 30, 2001.

1897 (b) The Commissioner of Education shall determine the  
1898 standards for the required data, monitor data quality, and  
1899 measure improvements. The commissioner shall report annually to  
1900 the State Board of Education, the Board of Governors of the State  
1901 University System, the President of the Senate, and the Speaker  
1902 of the House of Representatives data quality indicators and  
1903 ratings for all school districts and public postsecondary  
1904 educational institutions.

1905 (c) Before establishing any new reporting or data  
1906 collection requirements, the Commissioner of Education shall

BILL

Redraft - C

YEAR

1907   utilize existing data being collected to reduce duplication and  
 1908   minimize paperwork.  
 1909       (4)   RULES.--The State Board of Education shall adopt rules  
 1910   pursuant to ss. 120.536(1) and 120.54 to implement the provisions  
 1911   of this section relating to the K-20 data warehouse.  
 1912       Section 37.   Subsections (1), (2), and (4) of section  
 1913   1008.33, Florida Statutes, are amended to read:  
 1914       1008.33   Authority to enforce public school improvement.--It  
 1915   is the intent of the Legislature that all public schools be held  
 1916   accountable for students performing at acceptable levels. A  
 1917   system of school improvement and accountability that assesses  
 1918   student performance by school, identifies schools in which  
 1919   students are not making adequate progress toward state standards,  
 1920   institutes appropriate measures for enforcing improvement, and  
 1921   provides rewards and sanctions based on performance shall be the  
 1922   responsibility of the State Board of Education.  
 1923       (1)   Pursuant to Art. IX of the State Constitution  
 1924   prescribing the duty of the State Board of Education to supervise  
 1925   Florida's public school system and notwithstanding any other  
 1926   statutory provisions to the contrary, the State Board of  
 1927   Education shall intervene in the operation of a district school  
 1928   system when one or more schools in the school district have  
 1929   failed to make adequate progress for 2 school years in a 4-year  
 1930   period. For purposes of determining when a school is eligible for  
 1931   state board action and opportunity scholarships for its students,  
 1932   the terms "2 years in any 4-year period" and "2 years in a 4-year  
 1933   period" mean that in any year that a school has a grade of "F,"  
 1934   the school is eligible for state board action and opportunity  
 1935   scholarships for its students if it also has had a grade of "F"

BILL

Redraft - C

YEAR

1936 in any of the previous 3 school years. The State Board of  
 1937 Education may determine that the school district or school has  
 1938 not taken steps sufficient for students in the school to be  
 1939 academically well served. Considering recommendations of the  
 1940 Commissioner of Education, the State Board of Education shall  
 1941 recommend action to a district school board intended to improve  
 1942 educational services to students in each school that is  
 1943 designated with a ~~as~~ performance grade of ~~category~~ "F."  
 1944 Recommendations for actions to be taken in the school district  
 1945 shall be made only after thorough consideration of the unique  
 1946 characteristics of a school, which shall include student mobility  
 1947 rates, the number and type of exceptional students enrolled in  
 1948 the school, and the availability of options for improved  
 1949 educational services. The state board shall adopt by rule steps  
 1950 to follow in this process. Such steps shall provide school  
 1951 districts sufficient time to improve student performance in  
 1952 schools and the opportunity to present evidence of assistance and  
 1953 interventions that the district school board has implemented.  
 1954       (2) The State Board of Education may recommend one or more  
 1955 of the following actions to district school boards to enable  
 1956 students in schools designated with a ~~as~~ performance grade of  
 1957 ~~category~~ "F" to be academically well served by the public school  
 1958 system:  
 1959       (a) Provide additional resources, change certain practices,  
 1960 and provide additional assistance if the state board determines  
 1961 the causes of inadequate progress to be related to school  
 1962 district policy or practice;  
 1963       (b) Implement a plan that satisfactorily resolves the  
 1964 education equity problems in the school;

BILL

Redraft - C

YEAR

1965           (c) Contract for the educational services of the school, or  
 1966 reorganize the school at the end of the school year under a new  
 1967 school principal who is authorized to hire new staff and  
 1968 implement a plan that addresses the causes of inadequate  
 1969 progress;  
 1970           (d) Authorize the school principal to recommend corrective  
 1971 actions for low-performing faculty and staff as necessary to  
 1972 improve educational opportunities and the performance of  
 1973 students;  
 1974           (e)~~(d)~~ Allow parents of students in the school to send  
 1975 their children to another district school of their choice; or  
 1976           (f)~~(e)~~ Other action appropriate to improve the school's  
 1977 performance, including, if the school is a high school, requiring  
 1978 annual publication of the school's graduation rate calculated  
 1979 without GEDs for the past 3 years, disaggregated by student  
 1980 ethnicity.  
 1981           (4) The State Board of Education may require the Department  
 1982 of Education or Chief Financial Officer to withhold any transfer  
 1983 of state funds to the school district if, within the timeframe  
 1984 specified in state board action, the school district has failed  
 1985 to comply with the action ordered to improve the district's low-  
 1986 performing schools. Withholding the transfer of funds shall occur  
 1987 only after all other recommended actions for school improvement  
 1988 have failed to improve performance. The State Board of Education  
 1989 may impose the same penalty on any district school board that  
 1990 fails to develop and implement a plan for assistance and  
 1991 intervention for low-performing schools as specified in s.  
 1992 1001.42(16) (d)~~(e)~~.

BILL

Redraft - C

YEAR

1993           Section 38.   Section 1008.34, Florida Statutes, is amended  
1994 to read:  
1995           1008.34   School grading system; school report cards;  
1996 district ~~performance~~ grade.--  
1997           (1)   ANNUAL REPORTS.--The Commissioner of Education shall  
1998 prepare annual reports of the results of the statewide assessment  
1999 program which describe student achievement in the state, each  
2000 district, and each school. The commissioner shall prescribe the  
2001 design and content of these reports, which must include, without  
2002 limitation, descriptions of the performance of all schools  
2003 participating in the assessment program and all of their major  
2004 student populations as determined by the Commissioner of  
2005 Education, and must also include the median scores of all  
2006 eligible students who scored at or in the lowest 25th percentile  
2007 of the state in the previous school year; provided, however, that  
2008 the provisions of s. 1002.22 pertaining to student records apply  
2009 to this section.  
2010           (2)   SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--The annual  
2011 report shall identify schools as having one of the following  
2012 grades ~~being in one of the following grade categories~~ defined  
2013 according to rules of the State Board of Education:  
2014           (a)   "A," schools making excellent progress.  
2015           (b)   "B," schools making above average progress.  
2016           (c)   "C," schools making satisfactory progress.  
2017           (d)   "D," schools making less than satisfactory progress.  
2018           (e)   "F," schools failing to make adequate progress.  
2019  
2020           Each school designated with a ~~in performance grade of category~~  
2021 "A," making excellent progress, or having improved at least two

BILL

Redraft - C

YEAR

~~performance grade levels categories~~, shall have greater authority over the allocation of the school's total budget generated from the FEFP, state categoricals, lottery funds, grants, and local funds, as specified in state board rule. The rule must provide that the increased budget authority shall remain in effect until the school's ~~performance~~ grade declines.

(3) DESIGNATION OF SCHOOL GRADES ~~PERFORMANCE GRADE CATEGORIES~~.--School grades ~~performance grade category~~ designations itemized in subsection (2) shall be based on the following:

(a) Criteria Timeframes.--A school's grade shall be based on a combination of:

1. Student achievement scores ~~School performance grade category designations shall be based on the school's current year performance and the school's annual learning gains.~~

2. ~~A school's performance grade category designation shall be based on a combination of student achievement scores, Student learning gains as measured by annual FCAT assessments in grades 3 through 10., and~~

3. Improvement of the lowest 25th percentile of students in the school in reading, math, or writing on the FCAT Reading, unless these students are exhibiting ~~performing above~~ satisfactory performance.

(b) Student assessment data.--Student assessment data used in determining school grades ~~performance grade categories~~ shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT.

BILL

Redraft - C

YEAR

2050           2. The aggregate scores of all eligible students enrolled  
2051 in the school who have been assessed on the FCAT, including  
2052 Florida Writes, and who have scored at or in the lowest 25th  
2053 percentile of students in the school in reading, math, or  
2054 writing, unless these students are exhibiting ~~performing above~~  
2055 satisfactory performance.

2056  
2057 ~~The Department of Education shall study the effects of mobility~~  
2058 ~~on the performance of highly mobile students and recommend~~  
2059 ~~programs to improve the performance of such students.~~ The State  
2060 Board of Education shall adopt appropriate criteria for each  
2061 school ~~performance grade category~~. The criteria must also give  
2062 added weight to student achievement in reading. Schools  
2063 designated with a ~~as performance grade of category~~ "C," making  
2064 satisfactory progress, shall be required to demonstrate that  
2065 adequate progress has been made by students in the school who are  
2066 in the lowest 25th percentile in reading, math, or writing on the  
2067 FCAT, including Florida Writes, unless these students are  
2068 exhibiting ~~performing~~ above satisfactory performance.

2069           (4) SCHOOL GRADING FOR ALTERNATIVE SCHOOLS.--Alternative  
2070 schools providing dropout prevention and academic intervention  
2071 services may choose to receive a school grade pursuant to  
2072 subsections (2) and (3) or an improvement rating pursuant to s.  
2073 1008.341 according to the following requirements:

2074           (a) If an alternative school chooses to be graded pursuant  
2075 to this section, student performance data as identified in  
2076 subsection (3) shall not be included in the home school's grade  
2077 but shall only be included in calculation of the alternative  
2078 school's grade unless the Commissioner of Education requires that



BILL

Redraft - C

YEAR

the alternative school's student assessment data must be included in the home school's grade based on a finding of collusion to avoid the state's accountability system.

(b) If an alternative school chooses to receive an improvement rating pursuant to s. 1008.341, student performance data as identified in subsection (3) shall be included in the home school's grade, except for achievement scores and learning gains of students attending alternative schools who are subject to district school board policies for expulsion for repeated or serious offenses, in dropout retrieval programs serving students officially designated as dropouts, or in Department of Juvenile Justice operated and contracted programs.

For purposes of this section and s. 1008.341, "home school" means the school the student was attending when assigned to an alternative school or the school to which the student would be assigned if the student left the alternative school. School districts must require collaboration between the home school and the alternative school to promote student success.

(5)-(4) SCHOOL IMPROVEMENT RATINGS.--The annual report shall identify each school's performance as having improved, remained the same, or declined. This school improvement rating shall be based on a comparison of the current year's and previous year's student and school performance data. Schools that improve at least one ~~performance~~ grade level ~~category~~ are eligible for school recognition awards pursuant to s. 1008.36.

(6)-(5) SCHOOL REPORT CARD PERFORMANCE GRADE CATEGORY AND IMPROVEMENT RATING REPORTS.--The Department of Education shall annually develop, in collaboration with the district school

BILL

Redraft - C

YEAR

boards, a school report card to be delivered to parents throughout each school district. The report card shall include the school's grade, information regarding school improvement, an explanation of school performance as evaluated by the federal No Child Left Behind Act of 2001, and indicators of return on investment. ~~School performance grade category designations and improvement ratings shall apply to each school's performance for the year in which performance is measured. Each school's report card designation and rating shall be published annually by the department on its website, of Education and the school district shall provide the school report card to each parent. Parents shall be entitled to an easy to read report card about the designation and rating of the school in which their child is enrolled.~~

(7) PERFORMANCE-BASED FUNDING.--The Legislature may factor in the performance of schools in calculating any performance-based funding policy that is provided for annually in the General Appropriations Act.

(8) DISTRICT ~~PERFORMANCE~~ GRADE.--The annual report required by subsection (1) shall include district ~~performance~~ grades, which shall consist of weighted district average grades, by level, for all elementary schools, middle schools, and high schools in the district. A district's weighted average grade shall be calculated by weighting individual school grades determined pursuant to subsection (2) by school enrollment.

~~(9)(6)~~ RULES.--The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 39. Section 1008.341, Florida Statutes, is created

BILL

Redraft - C

YEAR

to read:

1008.341 School improvement rating for alternative schools.--

(1) ANNUAL REPORTS.--The Commissioner of Education shall prepare an annual report on the performance of each school receiving a school improvement rating pursuant to this section provided that the provisions of s. 1002.22 pertaining to student records shall apply.

(2) SCHOOL IMPROVEMENT RATING.--Alternative schools that provide dropout prevention and academic intervention services may choose to receive a school improvement rating pursuant to this section in lieu of a school grade pursuant to s. 1008.34. The school improvement rating shall identify schools as having one of the following ratings defined according to rules of the State Board of Education:

(a) "Improving," schools with students making more academic progress than when the students were served in their home schools.

(b) "Maintaining," schools with students making progress equivalent to the progress made when the students were served in their home schools.

(c) "Declining," schools with students making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of the current year and previous year student performance data. Schools that improve at least one level or maintain an "improving" rating pursuant to this section are eligible for

BILL

Redraft - C

YEAR

2166 school recognition awards pursuant to s. 1008.36.

2167 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student data  
2168 used in determining an alternative school's school improvement  
2169 rating shall include:

2170 (a) The aggregate scores of all students who were assigned  
2171 to and enrolled in the school during the October or February FTE  
2172 count, who have been assessed on the FCAT, and who have FCAT or  
2173 comparable scores for the preceding school year.

2174 (b) The aggregate scores of all students who were assigned  
2175 to and enrolled in the school during the October or February FTE  
2176 count, who have been assessed on the FCAT, including Florida  
2177 Writes, and who have scored in the lowest 25th percentile of  
2178 students in the state on FCAT Reading.

2179 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.--For each  
2180 alternative school receiving a school improvement rating, the  
2181 Department of Education shall annually identify the percentage of  
2182 students making learning gains as compared to the percentage of  
2183 the same students making learning gains in their home schools in  
2184 the year prior to being assigned to the alternative school.

2185 (5) SCHOOL REPORT CARD.--The Department of Education shall  
2186 annually develop, in collaboration with the school districts, a  
2187 school report card for alternative schools to be delivered to  
2188 parents throughout each school district. The report card shall  
2189 include the school improvement rating, identification of student  
2190 learning gains, information regarding school improvement, an  
2191 explanation of school performance as evaluated by the federal No  
2192 Child Left Behind Act of 2001, and indicators of return on  
2193 investment.

2194 (6) RULES.--The State Board of Education may adopt rules

BILL

Redraft - C

YEAR

2195 pursuant to ss. 120.536(1) and 120.54 to implement the provisions  
2196 of this section.

2197       Section 40. Subsection (5), paragraphs (b) and (d) of  
2198 subsection (6), and subsection (7) of section 1008.345, Florida  
2199 Statutes, are amended to read:

2200       1008.345 Implementation of state system of school  
2201 improvement and education accountability.--

2202       (5) The commissioner shall report to the Legislature and  
2203 recommend changes in state policy necessary to foster school  
2204 improvement and education accountability. Included in the report  
2205 shall be a list of the schools, including schools operating for  
2206 the purpose of providing educational services to youth in  
2207 Department of Juvenile Justice programs, for which district  
2208 school boards have developed assistance and intervention plans  
2209 and an analysis of the various strategies used by the school  
2210 boards. School reports shall be distributed pursuant to this  
2211 subsection and s. 1001.42(16) (f) ~~(e)~~ and according to rules  
2212 adopted by the State Board of Education.

2213       (6)

2214       (b) Upon request, the department shall provide technical  
2215 assistance and training to any school, including any school  
2216 operating for the purpose of providing educational services to  
2217 youth in Department of Juvenile Justice programs, school advisory  
2218 council, district, or district school board for conducting needs  
2219 assessments, developing and implementing school improvement  
2220 plans, developing and implementing assistance and intervention  
2221 plans, or implementing other components of school improvement and  
2222 accountability. Priority for these services shall be given to  
2223 schools designated with a ~~as~~ performance grade of ~~category~~ "D" or

BILL

Redraft - C

YEAR

"F" and school districts in rural and sparsely populated areas of the state.

(d)1. The commissioner ~~department~~ shall assign a community assessment team to each school district with a school designated with a as performance grade of category "D" or "F" to review the school performance data, including, for a high school graded "D" or "F," the school's graduation rate calculated without GEDs for the past 3 years, disaggregated by student ethnicity, and determine causes for the low performance. The team shall make recommendations to the school board, to the department, and to the State Board of Education for implementing an assistance and intervention plan that will address the causes of the school's low performance. The assessment team shall include, but not be limited to, a department representative, parents, business representatives, educators, and community activists, and shall represent the demographics of the community from which they are appointed.

2. Each school district that has a school designated with a grade of "F" for a second consecutive year after the community assessment team's recommendations to the school board for implementing an assistance and intervention plan shall be subject to review and oversight by the Governor and the Commissioner of Education as a school district in a state of educational emergency.

3. For each school district in a state of educational emergency, the Governor and the Commissioner of Education shall contact the district school board to determine what actions have been taken by the district school board to address the recommendations of the community assessment team and to resolve

BILL

Redraft - C

YEAR

2253 the educational emergency. The Governor and the Commissioner of  
2254 Education shall determine whether the district school board needs  
2255 state assistance to resolve the educational emergency. If state  
2256 assistance is needed, the Governor and the Commissioner of  
2257 Education have the authority to implement measures as set forth  
2258 in this subparagraph to assist the district school board in  
2259 resolving the educational emergency. Such measures may include,  
2260 but are not limited to:

2261 a. Requiring approval of the school district's budget by  
2262 the Governor and the Commissioner of Education.

2263 b. Authorizing a state loan and providing for its repayment  
2264 by the district school board.

2265 c. Requiring the district school board to reallocate funds  
2266 as necessary until such time as the school district is no longer  
2267 in a state of educational emergency.

2268 d. Making inspections and reviews of records, information,  
2269 reports, and assets of the school district. The appropriate  
2270 school district officials shall cooperate in such inspections and  
2271 reviews.

2272 e. Consulting with officials and auditors of the school  
2273 district and the appropriate state officials regarding any steps  
2274 necessary to bring the books of account, accounting systems,  
2275 financial procedures, personnel, and personnel systems into  
2276 compliance with state requirements.

2277 f. Providing technical assistance to the district school  
2278 board.

2279 g. Establishing an educational emergency board to oversee  
2280 the activities of the district school board. If an educational  
2281 emergency board is established, the Governor and Commissioner of

BILL

Redraft - C

YEAR

2282 Education shall appoint board members and select a chair. The  
 2283 school district's community assessment team shall serve in an  
 2284 advisory capacity to the educational emergency board. The  
 2285 educational emergency board shall adopt such rules as are  
 2286 necessary for conducting board business. The board may review all  
 2287 of the educational operations, including, but not limited to,  
 2288 graduation and dropout rates, personnel, management, efficiency,  
 2289 curriculum, instructional materials, productivity, and financing  
 2290 of functions and operations, of the school district. The  
 2291 recommendations and reports made by the educational emergency  
 2292 board must be submitted to the Governor, the Commissioner of  
 2293 Education, and the State Board of Education for appropriate  
 2294 action. Upon receipt of the educational emergency board's  
 2295 recommendations and report, the Governor, the Commissioner of  
 2296 Education, and the State Board of Education shall require an  
 2297 action plan to implement the educational emergency board's  
 2298 recommendations, to be prepared by officials of the school  
 2299 district in consultation with the appropriate state officials, so  
 2300 as to cause the school district to no longer be in a state of  
 2301 educational emergency.

2302 4. The Governor and the Commissioner of Education may  
 2303 terminate all state actions pursuant to this paragraph upon  
 2304 determination that the school district is no longer in a state of  
 2305 educational emergency and has successfully established and is  
 2306 operating an effective educational system for all students in the  
 2307 district.

2308 (7) (a) Schools designated with a in-performance grade of  
 2309 ~~category~~ "A," making excellent progress, shall, if requested by



BILL

Redraft - C

YEAR

the school, be given deregulated status as specified in s. 1003.63(5), (7), (8), (9), and (10).

(b) Schools that have improved at least two grades ~~performance grade categories~~ and that meet the criteria of the Florida School Recognition Program pursuant to s. 1008.36 may be given deregulated status as specified in s. 1003.63(5), (7), (8), (9), and (10).

Section 41. Subsections (3), (4), and (5) of section 1008.36, Florida Statutes, are amended to read:

1008.36 Florida School Recognition Program.--

(3) All public schools, including charter schools, that receive a school grade pursuant to s. 1008.34 or a school improvement rating pursuant to s. 1008.341 are eligible to participate in the program.

(4) All selected schools shall receive financial awards depending on the availability of funds appropriated and the number and size of schools selected to receive an award. Funds must be distributed to the school's fiscal agent and placed in the school's account and must be used for purposes listed in subsection (5) as determined by the staff and school advisory council pursuant to s. 1001.452 in the annual school improvement plan required under s. 1001.42(16)(a). If such a determination is not included in the school improvement plan at the time of its annual approval by the district school board, the school shall not be eligible to receive a financial award jointly by the school's staff and school advisory council. If school staff and the school advisory council cannot reach agreement by November 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.

BILL

Redraft - C

YEAR

(5) School recognition awards must be used for the following:

(a) Nonrecurring bonuses to the faculty and staff who worked at the school during the year of improved performance and additional employees as determined in the school improvement plan;

(b) Nonrecurring expenditures for educational equipment, ~~or~~ materials, or student incentives to assist in maintaining and improving student performance; or

(c) Temporary personnel for the school to assist in maintaining and improving student performance.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 42. Paragraphs (f), (h), (l), (m), and (n) of subsection (1) and paragraphs (a) and (b) of subsection (4) of section 1011.62, Florida Statutes, are amended, subsections (8) and (9) are renumbered as subsections (9) and (10), respectively, and amended, and a new subsection (8) is added to that section, to read:

1011.62 Funds for operation of schools.--If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.--The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) Supplemental academic instruction; categorical fund.--

BILL

Redraft - C

YEAR

2368           1. There is created a categorical fund to provide  
2369 supplemental academic instruction to students in kindergarten  
2370 through grade 12. This paragraph may be cited as the  
2371 "Supplemental Academic Instruction Categorical Fund."

2372           2. Categorical funds for supplemental academic instruction  
2373 shall be allocated annually to each school district in the amount  
2374 provided in the General Appropriations Act. These funds shall be  
2375 in addition to the funds appropriated on the basis of FTE student  
2376 membership in the Florida Education Finance Program and shall be  
2377 included in the total potential funds of each district. These  
2378 funds shall be used to provide supplemental academic instruction  
2379 to students enrolled in the K-12 program. Supplemental  
2380 instruction strategies may include, but are not limited to:  
2381 modified curriculum, reading instruction, after-school  
2382 instruction, tutoring, mentoring, class size reduction, extended  
2383 school year, intensive skills development in summer school, and  
2384 other methods for improving student achievement. Supplemental  
2385 instruction may be provided to a student in any manner and at any  
2386 time during or beyond the regular 180-day term identified by the  
2387 school as being the most effective and efficient way to best help  
2388 that student progress from grade to grade and to graduate.

2389           3. Effective with the 1999-2000 fiscal year, funding on the  
2390 basis of FTE membership beyond the 180-day regular term shall be  
2391 provided in the FEFP only for students enrolled in juvenile  
2392 justice education programs or in an education program for  
2393 juveniles under s. 985.223. Funding for instruction beyond the  
2394 regular 180-day school year for all other K-12 students shall be  
2395 provided through the supplemental academic instruction  
2396 categorical fund and other state, federal, and local fund sources

BILL

Redraft - C

YEAR

with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(h) Small, isolated high schools.--Districts which levy the maximum nonvoted discretionary millage, exclusive of millage for capital outlay purposes levied pursuant to s. 1011.71(2), may calculate full-time equivalent students for small, isolated high schools by multiplying the number of unweighted full-time equivalent students times 2.75; provided the school has attained a ~~state accountability performance grade category~~ of "C" or better, pursuant to s. 1008.34, for the previous school year. For the purpose of this section, the term "small, isolated high school" means any high school which is located no less than 28 miles by the shortest route from another high school; which has been serving students primarily in basic studies provided by sub-subparagraphs (c)1.b. and c. and may include subparagraph (c)4.; and which has a membership of no more than 100 students, but no fewer than 28 students, in grades 9 through 12.

(1) Calculation of additional full-time equivalent membership based on international baccalaureate examination

BILL

Redraft - C

YEAR

2426 | scores of students.--A value of 0.24 full-time equivalent student  
2427 | membership shall be calculated for each student enrolled in an  
2428 | international baccalaureate course who receives a score of 4 or  
2429 | higher on a subject examination. A value of 0.3 full-time  
2430 | equivalent student membership shall be calculated for each  
2431 | student who receives an international baccalaureate diploma. Such  
2432 | value shall be added to the total full-time equivalent student  
2433 | membership in basic programs for grades 9 through 12 in the  
2434 | subsequent fiscal year. The school district shall distribute to  
2435 | each classroom teacher who provided international baccalaureate  
2436 | instruction:

2437 |       1. A bonus in the amount of \$50 for each student taught by  
2438 | the International Baccalaureate teacher in each international  
2439 | baccalaureate course who receives a score of 4 or higher on the  
2440 | international baccalaureate examination.

2441 |       2. An additional bonus of \$500 to each International  
2442 | Baccalaureate teacher in a school designated with a performance  
2443 | grade of category "D" or "F" who has at least one student scoring  
2444 | 4 or higher on the international baccalaureate examination,  
2445 | regardless of the number of classes taught or of the number of  
2446 | students scoring a 4 or higher on the international baccalaureate  
2447 | examination.

2448 |  
2449 | Bonuses awarded to a teacher according to this paragraph shall  
2450 | not exceed \$2,000 in any given school year and shall be in  
2451 | addition to any regular wage or other bonus the teacher received  
2452 | or is scheduled to receive.

2453 |       (m) Calculation of additional full-time equivalent  
2454 | membership based on Advanced International Certificate of

BILL

Redraft - C

YEAR

2455 Education examination scores of students.--A value of 0.24 full-  
 2456 time equivalent student membership shall be calculated for each  
 2457 student enrolled in a full-credit Advanced International  
 2458 Certificate of Education course who receives a score of E or  
 2459 higher on a subject examination. A value of 0.12 full-time  
 2460 equivalent student membership shall be calculated for each  
 2461 student enrolled in a half-credit Advanced International  
 2462 Certificate of Education course who receives a score of E or  
 2463 higher on a subject examination. A value of 0.3 full-time  
 2464 equivalent student membership shall be calculated for each  
 2465 student who receives an Advanced International Certificate of  
 2466 Education diploma. Such value shall be added to the total full-  
 2467 time equivalent student membership in basic programs for grades 9  
 2468 through 12 in the subsequent fiscal year. The school district  
 2469 shall distribute to each classroom teacher who provided Advanced  
 2470 International Certificate of Education instruction:

2471       1. A bonus in the amount of \$50 for each student taught by  
 2472 the Advanced International Certificate of Education teacher in  
 2473 each full-credit Advanced International Certificate of Education  
 2474 course who receives a score of E or higher on the Advanced  
 2475 International Certificate of Education examination. A bonus in  
 2476 the amount of \$25 for each student taught by the Advanced  
 2477 International Certificate of Education teacher in each half-  
 2478 credit Advanced International Certificate of Education course who  
 2479 receives a score of E or higher on the Advanced International  
 2480 Certificate of Education examination.

2481       2. An additional bonus of \$500 to each Advanced  
 2482 International Certificate of Education teacher in a school  
 2483 designated with a performance grade of category "D" or "F" who

BILL

Redraft - C

YEAR

2484 has at least one student scoring E or higher on the full-credit  
2485 Advanced International Certificate of Education examination,  
2486 regardless of the number of classes taught or of the number of  
2487 students scoring an E or higher on the full-credit Advanced  
2488 International Certificate of Education examination.

2489       3. Additional bonuses of \$250 each to teachers of half-  
2490 credit Advanced International Certificate of Education classes in  
2491 a school designated with a performance grade of ~~category~~ "D" or  
2492 "F" which has at least one student scoring an E or higher on the  
2493 half-credit Advanced International Certificate of Education  
2494 examination in that class. The maximum additional bonus for a  
2495 teacher awarded in accordance with this subparagraph shall not  
2496 exceed \$500 in any given school year. Teachers receiving an award  
2497 under subparagraph 2. are not eligible for a bonus under this  
2498 subparagraph.

2499  
2500 Bonuses awarded to a teacher according to this paragraph shall  
2501 not exceed \$2,000 in any given school year and shall be in  
2502 addition to any regular wage or other bonus the teacher received  
2503 or is scheduled to receive.

2504       (n) Calculation of additional full-time equivalent  
2505 membership based on college board advanced placement scores of  
2506 students.--A value of 0.24 full-time equivalent student  
2507 membership shall be calculated for each student in each advanced  
2508 placement course who receives a score of 3 or higher on the  
2509 College Board Advanced Placement Examination for the prior year  
2510 and added to the total full-time equivalent student membership in  
2511 basic programs for grades 9 through 12 in the subsequent fiscal  
2512 year. Each district must allocate at least 80 percent of the

BILL

Redraft - C

YEAR

2513 funds provided to the district for advanced placement  
 2514 instruction, in accordance with this paragraph, to the high  
 2515 school that generates the funds. The school district shall  
 2516 distribute to each classroom teacher who provided advanced  
 2517 placement instruction:

2518       1. A bonus in the amount of \$50 for each student taught by  
 2519 the Advanced Placement teacher in each advanced placement course  
 2520 who receives a score of 3 or higher on the College Board Advanced  
 2521 Placement Examination.

2522       2. An additional bonus of \$500 to each Advanced Placement  
 2523 teacher in a school designated with a performance grade of  
 2524 ~~category~~ "D" or "F" who has at least one student scoring 3 or  
 2525 higher on the College Board Advanced Placement Examination,  
 2526 regardless of the number of classes taught or of the number of  
 2527 students scoring a 3 or higher on the College Board Advanced  
 2528 Placement Examination.

2529

2530 Bonuses awarded to a teacher according to this paragraph shall  
 2531 not exceed \$2,000 in any given school year and shall be in  
 2532 addition to any regular wage or other bonus the teacher received  
 2533 or is scheduled to receive.

2534       (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The  
 2535 Legislature shall prescribe the aggregate required local effort  
 2536 for all school districts collectively as an item in the General  
 2537 Appropriations Act for each fiscal year. The amount that each  
 2538 district shall provide annually toward the cost of the Florida  
 2539 Education Finance Program for kindergarten through grade 12  
 2540 programs shall be calculated as follows:

2541       (a) Estimated taxable value calculations.--



BILL

Redraft - C

YEAR

2542 1.a. Not later than 2 working days prior to July 19, the  
2543 Department of Revenue shall certify to the Commissioner of  
2544 Education its most recent estimate of the taxable value for  
2545 school purposes in each school district and the total for all  
2546 school districts in the state for the current calendar year based  
2547 on the latest available data obtained from the local property  
2548 appraisers. Not later than July 19, the Commissioner of Education  
2549 shall compute a millage rate, rounded to the next highest one  
2550 one-thousandth of a mill, which, when applied to 95 percent of  
2551 the estimated state total taxable value for school purposes,  
2552 would generate the prescribed aggregate required local effort for  
2553 that year for all districts. The Commissioner of Education shall  
2554 certify to each district school board the millage rate, computed  
2555 as prescribed in this subparagraph, as the minimum millage rate  
2556 necessary to provide the district required local effort for that  
2557 year.

2558 b. The General Appropriations Act shall direct the  
2559 computation of the statewide adjusted aggregate amount for  
2560 required local effort for all school districts collectively from  
2561 ad valorem taxes to ensure that no school district's revenue from  
2562 required local effort millage will produce more than 90 percent  
2563 of the district's total Florida Education Finance Program  
2564 calculation, and the adjustment of the required local effort  
2565 millage rate of each district that produces more than 90 percent  
2566 of its total Florida Education Finance Program entitlement to a  
2567 level that will produce only 90 percent of its total Florida  
2568 Education Finance Program entitlement in the July calculation.

2569 2. As revised data are received from property appraisers,  
2570 the Department of Revenue shall amend the certification of the

BILL

Redraft - C

YEAR

2571 estimate of the taxable value for school purposes. The  
 2572 Commissioner of Education, in administering the provisions of  
 2573 subparagraph (10)~~(9)~~(a)2., shall use the most recent taxable  
 2574 value for the appropriate year.

2575       (b) Final calculation.--

2576       1. The Department of Revenue shall, upon receipt of the  
 2577 official final assessed value of property from each of the  
 2578 property appraisers, certify to the Commissioner of Education the  
 2579 taxable value total for school purposes in each school district,  
 2580 subject to the provisions of paragraph (d). The commissioner  
 2581 shall use the official final taxable value for school purposes  
 2582 for each school district in the final calculation of the annual  
 2583 Florida Education Finance Program allocations.

2584       2. For the purposes of this paragraph, the official final  
 2585 taxable value for school purposes shall be the taxable value for  
 2586 school purposes on which the tax bills are computed and mailed to  
 2587 the taxpayers, adjusted to reflect final administrative actions  
 2588 of value adjustment boards and judicial decisions pursuant to  
 2589 part I of chapter 194. By September 1 of each year, the  
 2590 Department of Revenue shall certify to the commissioner the  
 2591 official prior year final taxable value for school purposes. For  
 2592 each county that has not submitted a revised tax roll reflecting  
 2593 final value adjustment board actions and final judicial  
 2594 decisions, the Department of Revenue shall certify the most  
 2595 recent revision of the official taxable value for school  
 2596 purposes. The certified value shall be the final taxable value  
 2597 for school purposes, and no further adjustments shall be made,  
 2598 except those made pursuant to subparagraph (10)~~(9)~~(a)2.

2599       (8) RESEARCH-BASED READING INSTRUCTION ALLOCATION.--

BILL

Redraft - C

YEAR

2600        (a) The research-based reading instruction allocation is  
2601 created to provide comprehensive reading instruction to students  
2602 in kindergarten through grade 12.

2603        (b) Funds for comprehensive, research-based reading  
2604 instruction shall be allocated annually to each school district  
2605 in the amount provided in the General Appropriations Act. Each  
2606 eligible school district shall receive the same minimum amount as  
2607 specified in the General Appropriations Act, and any remaining  
2608 funds shall be distributed to eligible school districts based on  
2609 each school district's proportionate share of K-12 base funding.

2610        (c) Funds must be used to provide a system of comprehensive  
2611 reading instruction to students enrolled in the K-12 programs,  
2612 which may include the following:

2613            1. The provision of highly qualified reading coaches.

2614            2. Professional development for school district teachers  
2615 and administrators in scientifically based reading instruction.

2616            3. The provision of summer reading camps for students who  
2617 score at Level 1 on FCAT Reading.

2618            4. The provision of supplemental instructional materials  
2619 that are grounded in scientifically based reading research and  
2620 comprehensive training in their use for which teachers shall  
2621 receive inservice credit.

2622            5. The provision of intensive interventions for middle and  
2623 high school students reading below grade level.

2624        (d) Annually, by a date determined by the Department of  
2625 Education but before May 1, school districts shall submit a K-12  
2626 comprehensive reading plan for the specific use of the research-  
2627 based reading instruction allocation in the format prescribed by  
2628 the department for review and approval by the Just Read, Florida!

BILL

Redraft - C

YEAR

2629 Office created pursuant to s. 1001.215. The plan annually  
2630 submitted by school districts shall be deemed approved unless the  
2631 department rejects the plan on or before June 1. If a school  
2632 district and the Just Read, Florida! Office cannot reach  
2633 agreement on the contents of the plan, the school district may  
2634 appeal to the State Board of Education for resolution. High-  
2635 performing school districts shall be allowed reasonable  
2636 flexibility in designing their plans and shall be encouraged to  
2637 offer reading intervention through innovative methods. The plan  
2638 format shall be developed with input from school district  
2639 personnel, including teachers and principals. The plan must  
2640 emphasize reading for information at the secondary level and  
2641 allow reading intervention through content courses in core,  
2642 career, and alternative programs. No later than July 1 annually,  
2643 the department shall release the school district's allocation of  
2644 appropriated funds to those districts with approved plans. A  
2645 school district that spends 100 percent of this allocation on its  
2646 approved plan shall be deemed to have been in compliance with the  
2647 plan. The department may withhold funds upon a determination that  
2648 reading instruction allocation funds are not being used to  
2649 implement the approved plan.

2650 (9)-(8) QUALITY ASSURANCE GUARANTEE.--The Legislature may  
2651 annually in the General Appropriations Act determine a percentage  
2652 increase in funds per K-12 unweighted FTE as a minimum guarantee  
2653 to each school district. The guarantee shall be calculated from  
2654 prior year base funding per unweighted FTE student which shall  
2655 include the adjusted FTE dollars as provided in subsection  
2656 (10)-(9), quality guarantee funds, and actual nonvoted  
2657 discretionary local effort from taxes. From the base funding per

BILL

Redraft - C

YEAR

unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (10)~~(9)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(10)~~(9)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.--The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) The basic amount for current operation for the FEFP as determined in subsection (1), multiplied by the district cost differential factor as determined in subsection (2), plus the amounts provided for categorical components within the FEFP, plus the amount for the sparsity supplement as determined in subsection (6), the decline in full-time equivalent students as determined in subsection (7), the research-based reading instruction allocation as determined in subsection (8), and the quality assurance guarantee as determined in subsection (9)~~(8)~~, less the required local effort as determined in subsection (4). If the funds appropriated for the purpose of funding the total

BILL

Redraft - C

YEAR

amount for current operation as provided in this paragraph are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state

BILL

Redraft - C

YEAR

2716 funds to the district. If the Department of Education audit  
2717 adjustment recommendation is based upon controverted findings of  
2718 fact, the Commissioner of Education is authorized to establish  
2719 the amount of the adjustment based on the best interests of the  
2720 state.

2721 (c) The amount thus obtained shall represent the net annual  
2722 state allocation to each district; however, notwithstanding any  
2723 of the provisions herein, each district shall be guaranteed a  
2724 minimum level of funding in the amount and manner prescribed in  
2725 the General Appropriations Act.

2726 Section 43. Paragraph (a) of subsection (2) of section  
2727 1011.64, Florida Statutes, is amended to read:

2728 1011.64 School district minimum classroom expenditure  
2729 requirements.--

2730 (2) For the purpose of implementing the provisions of this  
2731 section, the Legislature shall prescribe minimum academic  
2732 performance standards and minimum classroom expenditure  
2733 requirements for districts not meeting such minimum academic  
2734 performance standards in the General Appropriations Act.

2735 (a) Minimum academic performance standards may be based on,  
2736 but are not limited to, district ~~performance~~ grades determined  
2737 pursuant to s. 1008.34 (7) ~~(8)~~.

2738 Section 44. Section 1011.67, Florida Statutes, is amended  
2739 to read:

2740 1011.67 Funds for instructional materials.--

2741 (1) The department is authorized to allocate and distribute  
2742 to each district an amount as prescribed annually by the  
2743 Legislature for instructional materials for student membership in  
2744 basic and special programs in grades K-12, which will provide for

BILL

Redraft - C

YEAR

2745 growth and maintenance needs. For purposes of this subsection  
2746 ~~section~~, unweighted full-time equivalent students enrolled in the  
2747 lab schools in state universities are to be included as school  
2748 district students and reported as such to the department. These  
2749 funds shall be distributed to school districts as follows: 50  
2750 percent on or about July 10; 35 percent on or about October 10;  
2751 10 percent on or about January 10; and 5 percent on or about June  
2752 10. The annual allocation shall be determined as follows:

2753 (a)~~(1)~~ The growth allocation for each school district shall  
2754 be calculated as follows:

2755 1.~~(a)~~ Subtract from that district's projected full-time  
2756 equivalent membership of students in basic and special programs  
2757 in grades K-12 used in determining the initial allocation of the  
2758 Florida Education Finance Program, the prior year's full-time  
2759 equivalent membership of students in basic and special programs  
2760 in grades K-12 for that district.

2761 2.~~(b)~~ Multiply any such increase in full-time equivalent  
2762 student membership by the allocation for a set of instructional  
2763 materials, as determined by the department, or as provided for in  
2764 the General Appropriations Act.

2765 3.~~(c)~~ The amount thus determined shall be that district's  
2766 initial allocation for growth for the school year. However, the  
2767 department shall recompute and adjust the initial allocation  
2768 based on actual full-time equivalent student membership data for  
2769 that year.

2770 (b)~~(2)~~ The maintenance of the instructional materials  
2771 allocation for each school district shall be calculated by  
2772 multiplying each district's prior year full-time equivalent  
2773 membership of students in basic and special programs in grades K-



BILL

Redraft - C

YEAR

12 by the allocation for maintenance of a set of instructional materials as provided for in the General Appropriations Act. The amount thus determined shall be that district's initial allocation for maintenance for the school year; however, the department shall recompute and adjust the initial allocation based on such actual full-time equivalent student membership data for that year.

(c)~~(3)~~ In the event the funds appropriated are not sufficient for the purpose of implementing this subsection ~~section~~ in full, the department shall prorate the funds available for instructional materials after first funding in full each district's growth allocation.

(2) Annually by July 1 and prior to the release of instructional materials funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that requires fidelity of implementation of instructional materials that are in the first 2 years of the adoption cycle and that the district intends to purchase. The staff development plan must provide for training for each teacher who will use the materials, provide inservice credit for the training, and document satisfactory completion of the training by each teacher. The superintendent shall annually report to the district school board on the implementation of the plan. The report shall include verification that training was provided, that teachers satisfactorily completed the training, and that the materials are being implemented as designed. The district's collective bargaining agreement shall not be used as a barrier to compliance with this subsection.

BILL

Redraft - C

YEAR

2803           Section 45. Paragraph (b) of subsection (2) of section  
2804 1011.685, Florida Statutes, is amended to read:

2805           1011.685 Class size reduction; operating categorical  
2806 fund.--

2807           (2) Class size reduction operating categorical funds shall  
2808 be used by school districts for the following:

2809           (b) For any lawful operating expenditure, if the district  
2810 has met the constitutional maximums identified in s. 1003.03(1)  
2811 or the reduction of two students per year required by s.  
2812 1003.03(2); however, priority shall be given to increase salaries  
2813 of classroom teachers as defined in s. 1012.01(2)(a) and to  
2814 implement the performance-pay incentive and the differentiated  
2815 pay detailed in s. 1012.22(1)(c) ~~salary career ladder defined in~~  
2816 ~~s. 1012.231.~~

2817           Section 46. Subsection (1) of section 1011.71, Florida  
2818 Statutes, is amended to read:

2819           1011.71 District school tax.--

2820           (1) If the district school tax is not provided in the  
2821 General Appropriations Act or the substantive bill implementing  
2822 the General Appropriations Act, each district school board  
2823 desiring to participate in the state allocation of funds for  
2824 current operation as prescribed by s. 1011.62 (10) ~~(9)~~ shall levy  
2825 on the taxable value for school purposes of the district,  
2826 exclusive of millage voted under the provisions of s. 9(b) or s.  
2827 12, Art. VII of the State Constitution, a millage rate not to  
2828 exceed the amount certified by the commissioner as the minimum  
2829 millage rate necessary to provide the district required local  
2830 effort for the current year, pursuant to s. 1011.62(4)(a)1. In  
2831 addition to the required local effort millage levy, each district

BILL

Redraft - C

YEAR

2832 school board may levy a nonvoted current operating discretionary  
2833 millage. The Legislature shall prescribe annually in the  
2834 appropriations act the maximum amount of millage a district may  
2835 levy. The millage rate prescribed shall exceed zero mills but  
2836 shall not exceed the lesser of 1.6 mills or 25 percent of the  
2837 millage which is required pursuant to s. 1011.62(4), exclusive of  
2838 millage levied pursuant to subsection (2).

2839 Section 47. Subsection (6) is added to section 1012.21,  
2840 Florida Statutes, to read:

2841 1012.21 Department of Education duties; K-12 personnel.--

2842 (6) REPORTING.--The Department of Education shall annually  
2843 post online links to each school district's collectively  
2844 bargained contracts and the salary and benefits of the personnel  
2845 or officers of any educator association that were paid by the  
2846 school district pursuant to s. 1012.22.

2847 Section 48. Paragraph (c) of subsection (1) of section  
2848 1012.22, Florida Statutes, is amended to read:

2849 1012.22 Public school personnel; powers and duties of the  
2850 district school board.--The district school board shall:

2851 (1) Designate positions to be filled, prescribe  
2852 qualifications for those positions, and provide for the  
2853 appointment, compensation, promotion, suspension, and dismissal  
2854 of employees as follows, subject to the requirements of this  
2855 chapter:

2856 (c) Compensation and salary schedules.--

2857 1. The district school board shall adopt a salary schedule  
2858 or salary schedules designed to furnish incentives for  
2859 improvement in training and for continued efficient service to be  
2860 used as a basis for paying all school employees and fix and

BILL

Redraft - C

YEAR

2861 authorize the compensation of school employees on the basis  
2862 thereof.

2863         2. A district school board, in determining the salary  
2864 schedule for instructional personnel, must base a portion of each  
2865 employee's compensation on performance demonstrated under s.  
2866 1012.34, must consider the prior teaching experience of a person  
2867 who has been designated state teacher of the year by any state in  
2868 the United States, and must consider prior professional  
2869 experience in the field of education gained in positions in  
2870 addition to district level instructional and administrative  
2871 positions.

2872         3. In developing the salary schedule, the district school  
2873 board shall seek input from parents, teachers, and  
2874 representatives of the business community.

2875         4. Beginning with the 2002-2003 fiscal year, each district  
2876 school board must adopt a performance-pay policy for school  
2877 administrators and instructional personnel. The district's  
2878 performance-pay policy is subject to negotiation as provided in  
2879 chapter 447; however, the adopted salary schedule must allow  
2880 school administrators and instructional personnel who demonstrate  
2881 outstanding performance, as measured under s. 1012.34, to earn a  
2882 5-percent supplement in addition to their individual, negotiated  
2883 salary. The supplements shall be funded from the performance-pay  
2884 reserve funds adopted in the salary schedule. ~~Beginning with the~~  
2885 ~~2004 2005 academic year, the district's 5 percent performance pay~~  
2886 ~~policy must provide for the evaluation of classroom teachers~~  
2887 ~~within each level of the salary career ladder provided in s.~~  
2888 ~~1012.231.~~ The Commissioner of Education shall determine whether  
2889 the district school board's adopted policy and salary schedule

BILL

Redraft - C

YEAR

2890 complies with the requirement for performance-based pay. If the  
2891 district school board fails to comply with this section, the  
2892 commissioner may ~~shall~~ withhold disbursements from the  
2893 Educational Enhancement Trust Fund to the district and take any  
2894 other measure provided by law necessary to ensure compliance  
2895 until compliance is verified.

2896 5. Beginning with the 2007-2008 academic year, each  
2897 district school board shall adopt a salary schedule with  
2898 differentiated pay for both instructional personnel and school-  
2899 based administrators. The salary schedule is subject to  
2900 negotiation as provided in chapter 447 and must allow  
2901 differentiated pay based on district-determined factors,  
2902 including, but not limited to, additional responsibilities,  
2903 school demographics, critical shortage areas, and level of job  
2904 performance difficulties.

2905 Section 49. Section 1012.2315, Florida Statutes, is created  
2906 to read:

2907 1012.2315 Assignment of teachers.--

2908 (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature finds  
2909 disparity between teachers assigned to teach in a majority of "A"  
2910 graded schools compared to teachers assigned to teach in a  
2911 majority of "F" graded schools. The disparity can be found in the  
2912 average years of experience, the median salary, and the  
2913 performance of the teachers on teacher certification  
2914 examinations. It is the intent of the Legislature that district  
2915 school boards have flexibility through the collective bargaining  
2916 process to assign teachers more equitably across the schools in  
2917 the district.

BILL

Redraft - C

YEAR

2918        (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F."--School  
2919 districts may not assign a higher percentage than the school  
2920 district average of first-time teachers, temporarily certified  
2921 teachers, teachers in need of improvement, or out-of-field  
2922 teachers to schools with above the school district average of  
2923 minority and economically disadvantaged students or schools that  
2924 are graded "D" or "F." Each school district shall annually  
2925 certify to the Commissioner of Education that this requirement  
2926 has been met. If the commissioner determines that a school  
2927 district is not in compliance with this subsection, the State  
2928 Board of Education shall be notified and shall take action  
2929 pursuant to s. 1008.32 in the next regularly scheduled meeting to  
2930 require compliance.

2931        Section 50. Subsection (2) of section 1012.27, Florida  
2932 Statutes, is amended to read:

2933        1012.27 Public school personnel; powers and duties of  
2934 district school superintendent.--The district school  
2935 superintendent is responsible for directing the work of the  
2936 personnel, subject to the requirements of this chapter, and in  
2937 addition the district school superintendent shall perform the  
2938 following:

2939        (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and  
2940 recommend to the district school board for adoption a salary  
2941 schedule or salary schedules. The district school superintendent  
2942 must recommend a salary schedule for instructional personnel  
2943 which bases a portion of each employee's compensation on  
2944 performance demonstrated under s. 1012.34. In developing the  
2945 recommended salary schedule, the district school superintendent  
2946 shall include input from parents, teachers, and representatives

BILL

Redraft - C

YEAR

2947 of the business community. Beginning with the 2006-2007 ~~2004-2005~~  
 2948 academic year, the recommended salary schedule for classroom  
 2949 teachers shall be consistent with the district's performance-pay  
 2950 policy under s. 1012.22(1)(c) and, beginning with the 2007-2008  
 2951 academic year, the district's differentiated pay under s.  
 2952 1012.22(1)(c) ~~career ladder based upon s. 1012.231.~~

2953         Section 51. Subsection (6) of section 1012.28, Florida  
 2954 Statutes, is amended to read:

2955         1012.28 Public school personnel; duties of school  
 2956 principals.--

2957         (6) A school principal who fails to comply with this  
 2958 section shall be ineligible for any portion of the performance-  
 2959 pay ~~performance-pay~~ policy incentive or the differentiated pay  
 2960 under s. 1012.22(1)(c).

2961         Section 52. Paragraph (a) of subsection (3) of section  
 2962 1012.34, Florida Statutes, is amended to read:

2963         1012.34 Assessment procedures and criteria.--

2964         (3) The assessment procedure for instructional personnel  
 2965 and school administrators must be primarily based on the  
 2966 performance of students assigned to their classrooms or schools,  
 2967 as appropriate. Pursuant to this section, a school district's  
 2968 performance assessment is not limited to basing unsatisfactory  
 2969 performance of instructional personnel and school administrators  
 2970 upon student performance, but may include other criteria approved  
 2971 to assess instructional personnel and school administrators'  
 2972 performance, or any combination of student performance and other  
 2973 approved criteria. The procedures must comply with, but are not  
 2974 limited to, the following requirements:

BILL

Redraft - C

YEAR

(a) An assessment must be conducted for each employee at least once a year. The assessment must be based upon sound educational principles and contemporary research in effective educational practices. The assessment must primarily use data and indicators of improvement in student performance assessed annually as specified in s. 1008.22 and may consider results of peer reviews in evaluating the employee's performance. Student performance must be measured by state assessments required under s. 1008.22 and by local assessments for subjects and grade levels not measured by the state assessment program. The assessment criteria must include, but are not limited to, indicators that relate to the following:

1. Performance of students.
2. Ability to maintain appropriate discipline.
3. Knowledge of subject matter. The district school board shall make special provisions for evaluating teachers who are assigned to teach out-of-field.
4. Ability to plan and deliver instruction, ~~including implementation of the rigorous reading requirement pursuant to s. 1003.415, when applicable,~~ and the use of technology in the classroom.
5. Ability to evaluate instructional needs.
6. Ability to establish and maintain a positive collaborative relationship with students' families to increase student achievement.
7. Other professional competencies, responsibilities, and requirements as established by rules of the State Board of Education and policies of the district school board.

Section 53. Subsection (4) of section 1012.56, Florida



BILL

Redraft - C

YEAR

3004 Statutes, is amended to read:  
 3005 1012.56 Educator certification requirements.--  
 3006 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means of  
 3007 demonstrating mastery of subject area knowledge are:  
 3008 (a) Achievement of passing scores on subject area  
 3009 examinations required by state board rule;  
 3010 (b) Completion of the subject area specialization  
 3011 requirements specified in state board rule and verification of  
 3012 the attainment of the essential subject matter competencies by  
 3013 the district school superintendent of the employing school  
 3014 district or chief administrative officer of the employing state-  
 3015 supported or private school for a subject area for which a  
 3016 subject area examination has not been developed and required by  
 3017 state board rule;  
 3018 (c) Completion of the subject area specialization  
 3019 requirements specified in state board rule for a subject coverage  
 3020 requiring a master's or higher degree and achievement of a  
 3021 passing score on the subject area examination specified in state  
 3022 board rule;  
 3023 (d) A valid professional standard teaching certificate  
 3024 issued by another state; or  
 3025 (e) A valid certificate issued by the National Board for  
 3026 Professional Teaching Standards or a national educator  
 3027 credentialing board approved by the State Board of Education.  
 3028  
 3029 School districts are encouraged to provide mechanisms for those  
 3030 middle school teachers holding only a K-6 teaching certificate to  
 3031 obtain a subject area coverage for middle grades through  
 3032 postsecondary coursework or district subject content professional

BILL

Redraft - C

YEAR

development activities to assist in the preparation for earning a passing score on the subject area examination required for add-on certification.

Section 54. Section 1012.986, Florida Statutes, is created to read:

1012.986 William Cecil Golden Professional Development Program for School Leaders.--

(1) ESTABLISHMENT.--There is established the William Cecil Golden Professional Development Program for School Leaders, a high-quality, competency-based, customized, comprehensive, and coordinated statewide professional development program that is aligned with the leadership standards for school leaders adopted by the State Board of Education. The program shall be administered by the Department of Education and shall provide leadership training opportunities for school leaders to enable them to be more effective instructional leaders, especially in the area of reading. The program shall provide school leaders with the opportunity to attain a school leadership designation pursuant to subsection (3).

(2) DEFINITION.--As used in this section, the term "school leader" means a school principal or assistant principal holding a valid Florida certificate in educational leadership.

(3) DESIGNATIONS.--The Department of Education shall develop criteria for designating high-performing school leaders. The criteria must emphasize student learning gains, especially in high schools.

(4) PROGRAM REQUIREMENTS.--

(a) The program shall be based upon the leadership standards adopted by the State Board of Education, the standards

BILL

Redraft - C

YEAR

3062 of the National Staff Development Council, and the federal  
3063 requirements for high-quality professional development under the  
3064 No Child Left Behind Act of 2001.

3065 (b) The program shall provide a competency-based approach  
3066 that utilizes prediagnostic and postdiagnostic evaluations that  
3067 shall be used to create an individualized professional  
3068 development plan approved by the district school superintendent.  
3069 The plan shall be structured to support the school leader's  
3070 attainment of the leadership standards adopted by the State Board  
3071 of Education.

3072 (c) The program shall incorporate instructional leadership  
3073 training and effective business practices for efficient school  
3074 operations in school leadership training.

3075 (5) DELIVERY SYSTEMS.--The Department of Education shall  
3076 deliver the program through multiple delivery systems, including:

3077 (a) Approved school district training programs.

3078 (b) Interactive technology-based instruction.

3079 (c) Regional consortium service organizations pursuant to  
3080 s. 1001.451.

3081 (6) RULES.--The State Board of Education shall adopt rules  
3082 pursuant to ss. 120.536(1) and 120.54 to implement the provisions  
3083 of this section.

3084 Section 55. Section 1012.987, Florida Statutes, is  
3085 repealed.

3086 Section 56. This act shall take effect upon becoming a law.